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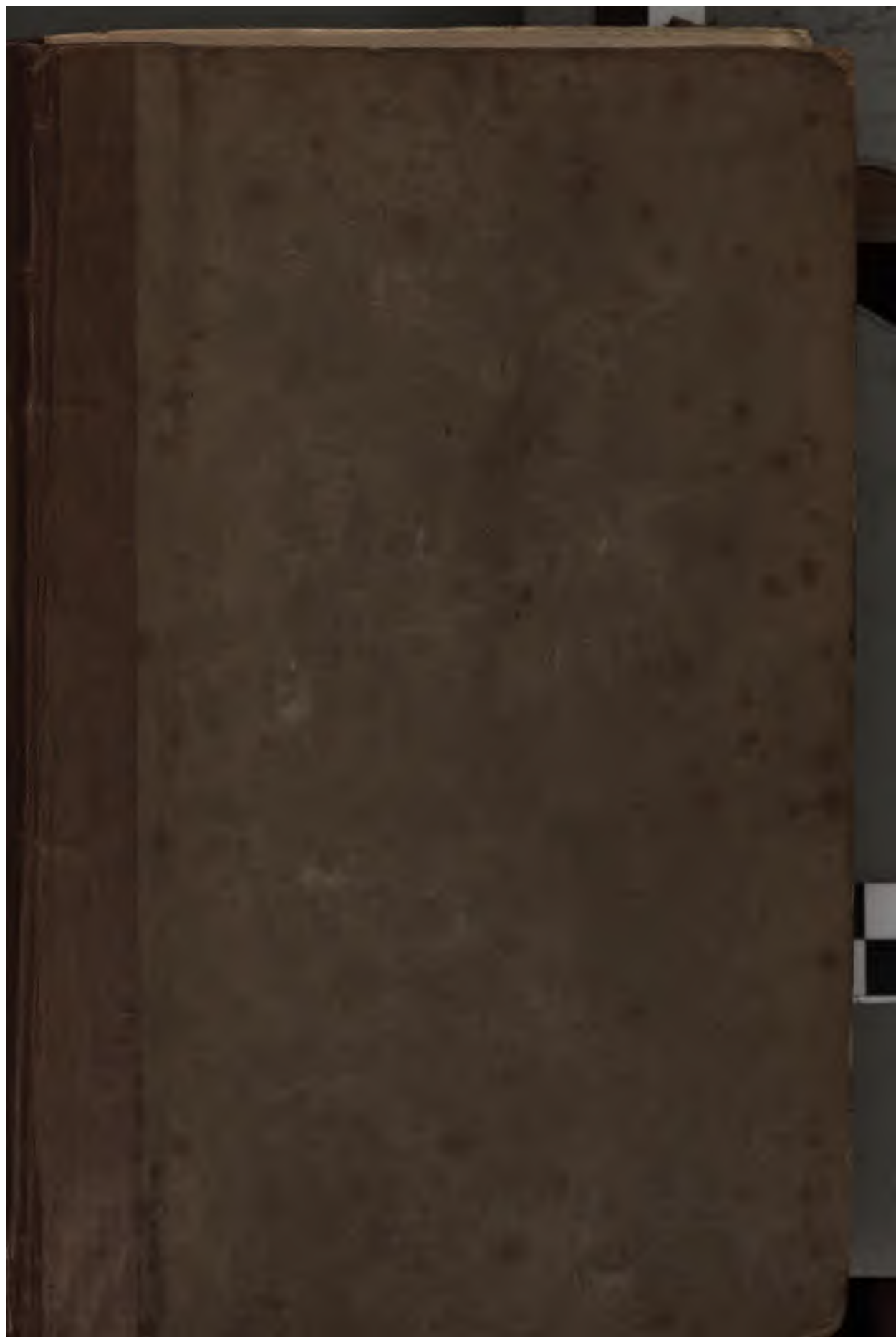
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THE  
HISTORY OF THE PURITANS;

OR,  
PROTESTANT NONCONFORMISTS;

FROM  
THE REFORMATION IN 1517, TO THE REVOLUTION IN 1688;

COMPRISING

*An Account of their Principles;*

THEIR ATTEMPTS FOR A FARTHER REFORMATION IN THE CHURCH, THEIR SUFFERINGS,  
AND THE LIVES AND CHARACTERS OF THEIR MOST CONSIDERABLE DIVINES.

BY DANIEL NEAL, M.A.

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A NEW EDITION, IN THREE VOLUMES.

REPRINTED FROM

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WITH HIS LIFE OF THE AUTHOR AND ACCOUNT OF HIS WRITINGS.

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# HISTORY OF THE PURITANS.

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## PART II.

### CHAPTER VII.

*KING CHARLES I. 1640.*

THE CHARACTER OF THE LONG PARLIAMENT. THEIR ARGUMENTS AGAINST THE LATE CONVOCATION AND CANONS. THE IMPEACHMENT OF DR. WILLIAM LAUD, ARCHBISHOP OF CANTERBURY. VOTES OF THE HOUSE OF COMMONS AGAINST THE PROMOTERS OF THE LATE INNOVATIONS.

WE are now entering upon the proceedings of the long parliament, which continued sitting with some little intermission for above eighteen years, and occasioned such prodigious revolutions in church and state, as were the surprise and wonder of all Europe. The house of commons have been severely censured for the ill success of their endeavours to recover and secure the constitution of their country; but the attempt was glorious, though a train of unforeseen accidents rendered it fatal in the event. The members consisted chiefly of country gentlemen, who had no attachment to the court: for, as Whitelocke observes, "Though the court laboured to bring in their friends, yet those who had most favour with them, had least in the country; and it was not a little strange to see what a spirit of opposition to the court-proceedings was in the hearts and actions of the most of the people, so that very few of that party had the favour of being chosen members of this parliament\*." Mr. Echard insinuates some unfair methods of election, which might be true on both sides; but both he and lord Clarendon admit, that there were many great and worthy patriots in the house, and as eminent as any age had ever produced; men of gravity, of wisdom, and of great and plentiful fortunes, who would have been satisfied with some few amendments in church and state.

Before the opening of the session the principal members consulted measures for securing the frequency of parliaments; for redressing of grievances in church and state; and for bringing the

\* Memorials, p. 35.



king's arbitrary ministers to justice; to accomplish which it was thought necessary to set some bounds to the prerogative, and to lessen the power of the bishops; but it never entered into their thoughts to overturn the civil or ecclesiastical constitution, as will appear from the concurrent testimony of the most unexceptionable historians.

"As to their religion (says the noble historian\*), they were all members of the established church, and almost to a man for episcopal government. Though they were undevoted enough to the court, they had all imaginable duty for the king, and affection for the government established by law, or ancient custom; and without doubt the majority of that body were persons of gravity and wisdom, who being possessed of great and plentiful fortunes, had no mind to break the peace of the kingdom, or to make any considerable alterations in the government of the church or state." Dr. Lewis Du Moulin, who lived through these times, says, "that both lords and commons were most, if not all, peaceable, orthodox church of England men, all conforming to the rites and ceremonies of episcopacy, but greatly averse to Popery and tyranny, and to the corrupt part of the church that inclined towards Rome." This is farther evident from their order of November 20, 1640, that none should sit in their house but such as would receive the communion according to the usage of the church of England. The commons, in their grand remonstrance of December 1, 1641, declared to the world, "that it was far from their purpose to let loose the golden reins of discipline and government in the church, to leave private persons, or particular congregations, to take up what form of divine service they pleased; for we hold it requisite (say they) that there should be throughout the whole realm a conformity to that order which the law enjoins according to the word of God." The noble historian adds farther, "that even after the battle of Edgehill the design against the church was not grown popular in the house; that in the years 1642 and 1643, the lords and commons were in perfect conformity to the church of England, and so was their army, the general and officers both by sea and land being neither Presbyterians, Independents, Anabaptists, nor conventiclers; and that when they cast their eyes upon Scotland, there were in truth very few in the two houses who desired the extirpation of episcopacy. Nay, his lordship is of opinion, that the nation in general was less inclined to the Puritans than to the Papists; at least, that they were for the establishment, for when the king went to Scotland [1641], the common prayer was much revered throughout the kingdom, and was a general object of veneration with the people.—There was a full submission and love to the established government of the church and state, especially to that part of the church which concerned the liturgy and Book of Common Prayer;" which, though it be hardly credi-

\* Clarendon, vol. 1. p. 184, &c.

ble, as will appear hereafter by the numbers of petitions from several counties against the hierarchy, yet may serve to silence those of his lordship's admirers, who through ignorance and ill-will have represented the long parliament, and the body of the Puritans at their first sitting down, as in a plot against the whole ecclesiastical establishment.

If we may believe his lordship's character of the leading members of both houses, even of those who were most active in the war against the king, we shall find even they were true churchmen according to law; and that they had no designs against episcopacy, nor any inclinations to presbytery or the separation.

The earl of Essex was captain-general and commander in chief of the parliament army, and so great was his reputation that his very name commanded thousands into their service. It had been impossible for the parliament to have raised an army, in lord Clarendon's opinion, if the earl of Essex had not consented to be their general; and "yet this nobleman (says he\*) was not indevoted to the function of bishops, but was as much devoted as any man to the Book of Common Prayer, and obliged all his servants to be present with him at it; his household chaplain being always a conformable man, and a good scholar."

The earl of Bedford was general of the horse under the earl of Essex, but "he had no desire that there should be any alteration in the government of the church; he had always lived towards my lord of Canterbury himself, with all respect and reverence; he frequently visited and dined with him, subscribed liberally to the repairing of St. Paul's, and seconded all pious undertakings."

Lord Kimbolton, afterward earl of Manchester, was a man of great generosity and good breeding; and no man was more in the confidence of the discontented party, or more trusted; he was commander of part of the parliament-forces, and rather complied with the changes of the times than otherwise; he had a considerable share in the restoration of king Charles II. and was in high favour with him till his death.

The earl of Warwick was admiral of the parliament-fleet; he was the person who seized on the king's ships, and employed them against him during the whole course of the war; he was looked upon as the greatest patron of the Puritans, and "yet this nobleman (says lord Clarendon) never discovered any aversion to episcopacy, but much professed the contrary."

In truth, says the noble historian, when the bill was brought into the house to deprive the bishops of their votes in parliament, there were only at that time taken notice of in the house of peers, the lords Say and Brook, as positive enemies to the whole fabric of the church, and to desire a dissolution of the government.

Amongst the leading members in the house of commons, we may reckon William Lenthall, esq. their speaker, "who was of no ill

\* Clarendon, vol. 1. p. 182. 185. 189. 211, 212. 233. 507; and vol. 2. p. 211, 212. 214. 462. 597, &c.



reputation for his affection to the government both of church and state," says his lordship, and declared on his death-bed after the Restoration, that he had always esteemed episcopal government to be the best government of the church, and accordingly died a dutiful son of the church of England.

Mr. Pym had the leading influence in the house of commons, and was in truth the most popular man and most able to do hurt of any who lived in his time; and yet, lord Clarendon says, "though he was an enemy to the Arminians, he professed to be very entirely for the doctrine and discipline of the church of England, and was never thought to be for violent measures, till the king came to the house of commons, and attempted to seize him amongst the five members."

Denzil Hollis, esq. after the Restoration promoted to the dignity of a baron, was at the head of all the parliament's councils till the year 1647. "He had an indignation (says lord Clarendon) against the Independents, nor was he affected to the Presbyterians, any otherwise than as they constituted a party to oppose the others, but was well pleased with the government of the church."

Sir H. Vane the elder did the king's affairs an unspeakable prejudice, and yet "in his judgment he liked the government both of church and state; nay, he not only appeared highly conformable himself but exceeding sharp against those that were not."

Sir John Hotham was the gentleman who shut the gates of Hull against the king; and in a sally that he made upon the king's forces shed the first blood that was spilt in the civil war, and was the first his majesty proclaimed a traitor; and yet his lordship declares, "he was very well affected to the government."

His lordship is a little more dubious about the famous Mr. Hampden, but says, that most people believed "his dislike was rather to some churchmen, than to the ecclesiastical government of the church."

I might mention Mr. Whitelocke, Selden, Langhorne, and others, who are represented without the least inclination to presbytery; but it is sufficient to observe from his lordship, "that all the earl of Essex's party in both houses were men of such principles, that they desired no alteration in the court or government, but only of the persons that acted in it; nay, the chief officers of his army were so zealous for the liturgy, that they would not hear a man as a minister that had not episcopal ordination."

Nathaniel Fiennes, esq. sir H. Vane, jun. and shortly after Mr. Hampden, were believed to be for root and branch; yet, says his lordship, Mr. Pym was not of that mind, nor Mr. Hollis, nor any of the northern men, nor any of those lawyers who drove on most furiously with them; all of whom were well pleased with the government of the church; for though it was in the hearts of some few to remove foundations, they had not the courage and confidence to communicate it."

It was the present temper and constitution of both houses;

from which his lordship justly concludes, that "as they were all of them, almost to a man, conformists to the church of England, they had all imaginable duty for the king and affection for the government established by law; and as for the church, the major part even of these persons would have been willing to satisfy the king; the rather, because they had no reason to think the two houses, or indeed either of them, could have been induced to pursue the contrary." How injurious then are the characters of those church historians, and others, who have represented the members of this parliament, even at their first session, as men of the new religion, or of no religion, fanatics, men deeply engaged in a design against the whole constitution in church and state!

The parliament was opened November 3, with a most gracious speech from the throne, wherein his majesty declares, he would concur with them in satisfying their just grievances, leaving it with them where to begin. Only some offence was taken at styling the Scots, rebels, at a time when there was a pacification subsisting; upon which his majesty came to the house, and instead of softening his language, very imprudently avowed the expression, saying, he could call them neither better nor worse. The houses petitioned his majesty to appoint a fast for a divine blessing upon their counsels, which was observed November 17; the reverend Mr. Marshal and Mr. Burges preached before the commons; the former on 2 Chron. xv. 2, "The Lord is with you, while you are with him; if you seek him he will be found of you, but if you forsake him he will forsake you." The latter on Jer. 1. 5, "They shall ask the way to Zion with their faces thitherward, saying, Come, and let us join ourselves to the Lord in a perpetual covenant that shall not be forgotten." The sermons were long, but delivered with a great deal of caution: the house gave them thanks, and a piece of plate for their labours. The bishops of Durham and Carlisle preached before the lords in the abbey-church of Westminster; the one a courtier, and the other a favourer of the Puritans. The Lord's day following, all the members in a body received the sacrament from the hands of bishop Williams dean of Westminster, not at the rails about the altar, but at a communion-table, placed, by order of the house, in the middle of the church on that occasion.

At their first entrance upon business they appointed four grand committees; the first to receive petitions about grievances of religion, which was afterward subdivided into twenty or thirty; the second for the affairs of Scotland and Ireland; the third for civil grievances, as ship-money, judges, courts of justice, monopolies, &c.; the fourth concerning Popery, and plots relating thereunto. Among the grievances of religion, one of the first things that came before the house was, the acts and canons of the late convocation: several warm speeches were made against the compilers of them, November 9; and among others lord Digby, who was as yet with the country party, stood up and said, "Does not every



parliament-man's heart rise, to see the prelates usurping to themselves the grand pre-eminence of parliament? the granting subsidies under the name of a benevolence, under no less a penalty to them that refuse it, than the loss of heaven and earth; of heaven by excommunication, and of earth by deprivation, and this without redemption by appeal? What good man can think with patience, of such an ensnaring oath, as that which the new canons enjoin to be taken, by ministers, lawyers, physicians, and graduates in the university, where, besides the swearing such an impertinence, as that things necessary to salvation are contained in discipline; besides the swearing those to be of divine right, which among the learned was never pretended to, as the arch things in our hierarchy; besides the swearing not to consent to the change of that, which the state may, upon great reasons, think fit to alter; besides the bottomless perjury of an *et cætera*; besides all this, men must swear that they swear freely and voluntarily, what they are compelled to; and lastly, that they swear to the oath in the literal sense, whereof no two of the makers themselves, that I have heard of, could ever agree in the understanding \*."

Sir B. Rudyard, sir J. Culpeper, sir Edward Deering, sir Harbottle Grimstone, spoke with the same warmth and satirical wit, for discharging the canons, dismounting them, and melting them down; nor did any gentleman stand up in their behalf but Mr. Holbourn, who is said to make a speech of two hours in their vindication; but his arguments made no impression on the house, for at the close of the debate a committee of twelve gentlemen, among whom were Mr. Selden, Maynard, and Coke, was appointed to search for the warrants by which the convocation was held, after the parliament broke up, and for the letters patent of the benevolence, and for such other materials as might assist the house in their next debate upon this argument, which was appointed for December 14, when some of the members would have aggravated the crime of the convocation to high treason, but serjeant Maynard and Mr. Bagshaw moderated their resentments,

\* Dr. Grey contrasts this speech of lord Digby's, as far as it censures the convocation for taxing the clergy, with some reflections on it from Collyer; who asserts, that the clergy had always the privilege of taxing their own body; that from magna charta to the 37th of Henry VIII. there is no parliamentary confirmation of subsidies given by the clergy; and that in 1585 there is an instance of the convocation granting and levying a subsidy or benevolence by synodical authority. The credit of Mr. Neal's History, in this point, is no further concerned than as he faithfully represents lord Digby's speech. This Dr. Grey does not dispute. Yet it may be proper to observe, that a great lawyer says, "that the grants of the clergy were illegal, and not binding, unless they were confirmed in parliament;" and that lord Clarendon, speaking of this convocation giving subsidies out of parliament, censures it as doing that "which it certainly might not do." The last subsidies granted by the clergy were those confirmed by the statute 13 Car. I. cap. 10. Since which this practice of granting ecclesiastical subsidies has given way to another method of taxation, comprehending the clergy as well as the laity; and in recompence for it, the beneficed clergy are allowed to vote for knights of the shire. Collyer's Eccles. vol. 2. p. 236. Blackstone's Commentaries, vol. 1. p. 311. 4to, 1774; Clarendon's Hist. vol. 1. p. 148.—Ed.

by convincing them that they were only in a premunire. At the close of the debate the house came to the following resolutions:

Resolved *nem. contradicente*, "That the clergy of England convened in any convocation or synod, or otherwise, have no power to make any constitutions, canons, or acts, whatsoever, in matters of doctrine, discipline, or otherwise, to bind the clergy or laity of the land, without consent of parliament.

Resolved, "That the several constitutions and canons ecclesiastical, treated upon by the archbishops of Canterbury and York, presidents of the convocations for their respective provinces, and the rest of the bishops and clergy of those provinces, and agreed upon with the king's majesty's licence, in their several synods begun at London and York 1640, do not bind the clergy or laity of the land, or either of them.

Resolved, "That the several constitutions and canons made and agreed to in the convocations or synods above mentioned, do contain in them many matters contrary to the king's prerogative, to the fundamental laws and statutes of this realm, to the rights of parliament, to the property and liberty of the subject, and matters tending to sedition, and of dangerous consequence.

Resolved, "That the several grants of benevolences or contributions, granted to his most excellent majesty by the clergy of the provinces of Canterbury and York, in the several convocations or synods holden at London and York in the year 1640, are contrary to the laws, and ought not to bind the clergy."

If the first of these resolutions be agreeable to law, I apprehend there were then no canons subsisting, for those of 1603 were not brought into parliament, but, being made in a parliamentary convocation, were ratified by the king under the great seal, and so became binding on the clergy, according to the statute of the 25th of king Henry VIII. In the Saxon times all ecclesiastical laws and constitutions were confirmed by the peers, and by the representatives of the people\*; but those great councils, to which our

\* This Dr. Grey controverts, and says, "I should be glad to know what authority he has for this assertion." It is not for the editor to give the authority, when Mr. Neal has not himself referred to it; but he can supply the want of it by an authority, which, if Dr. Grey were living, would command his respect: viz. that of Dr. Burn, who tells us, that "even in the Saxon times, if the subject of any laws was for the outward peace and temporal government of the church, such laws were properly ordained by the king and his great council of clergy and laity intermixed, as our acts of parliament are still made. But if there was any doctrine to be tried, or any exercise of pure discipline to be reformed, then the clergy of the great council departed into a separate synod, and there acted as the proper judges. Only when they had thus provided for the state of religion, they brought their canons from the synod to the great council, to be ratified by the king, with the advice of his great men, and so made the constitutions of the church to be laws of the realm. And the Norman revolution made no change in this respect." This author farther says, that the convocation-tax did always pass both houses of parliament; since it could not bind as a law, till it had the consent of the legislature." Judge Foster, in his examination of Bishop Gibson's codex, appeals to the laws of Ethelbert and Withred, kings of Kent, and of Ina of Wessex; to the laws of Alfred, Edward the elder, Athelstan, Edmund, Edgar, and Canute, as proofs that the ecclesiastical and civil concerns of the kingdom were not, in the times of the Saxons, under the care



parliaments succeed, being made up of laics and ecclesiastics, were afterward separated, and then the clergy did their business by themselves, and enacted laws without confirmation of king or parliament, during the reign of Popery, till the act of the submission of the clergy to king Henry VIII., so that the claim of making canons without the sanction of parliament, seemed to stand upon no other foundation than the usurped power of the pope: nor did the parliaments of those times yield up their right; for in the 51st of Edward III. the commons passed a bill, that no act or ordinance should be made for the future upon the petition of the clergy, without the consent of the commons; "and that the said commons should not be bound for the future by any constitutions of the clergy, to which they had not given their consent in parliament." But the bill being dropped, things went on upon the former footing till the reign of king Henry VIII.\*, when the pope's usurped power being abolished, both parliament and clergy agreed, by the act of submission, that no canons should be binding without the royal assent; and that the clergy in convocation should not so much as consult about any without the king's special licence. But serjeant Maynard delivered it as his opinion in the house, that it did not follow, that because the clergy might not make canons without the king's licence, that therefore they might make them and bind them on the clergy by his licence alone; for this were to take away the ancient rights of parliament before the pope's usurpation, which they never yielded up nor does the act of submission of the clergy take away. Upon this reasoning the commons voted their first resolution, the strength of which I leave to the reader's consideration.

The arguments upon which the other resolutions are founded will be laid together, after we have related the proceedings of the convocation.

The convocation was opened November 4, 1640. Dr. Bargrave, dean of Canterbury, preached the sermon, and Dr. Steward, dean of Chichester, was chosen prolocutor, and presented to the archbishop's acceptance in king Henry VII.'s chapel, when his grace made a pathetic speech, lamenting the danger of the church, and exhorting every one present to perform the duty of their places with resolution, and not to be wanting to themselves or the cause of religion; but nothing of moment was transacted, there being no commission from the king; only Mr. Warmistre, one of the clerks for the diocese of Worcester, being convinced of the invalidity of the late canons, moved the house that they might cover the pit which they had opened, and prevent a parliamentary inquisition, by petitioning the king for leave to review them; but

of two separate legislatures, and subject to different administrations; but blended together, and directed by one and the same legislature, the great councils, or in modern style, the parliaments, of the respective kingdoms during the heptarchy, and of the united kingdom afterward. Burn's Ecclesiastical Law, vol. 2. p. 22. 26. 8vo. An Examination of the Scheme of Church Power laid down in the Codex, p. 120, &c.—F

\* Fuller's Appeal, p. 42.

his motion was rejected, the whole being of opinion that the canons were justifiable: nor would they appear so, until he had condemned themselves before they were accused. His friends suffered in the opinion of his brethren, and he was for his cowardly speech: and was reproached from without, and scorned in the church, and a turncoat because he had subscribed those articles which now he condemned. Thus he got himself to send his speech to the world, wherein after having declared his satisfaction in the doctrine, discipline, and government of the church of England, as far as it is established by a valid government, that there had been no private innovations introduced, he thought he approves of an outward reverence in the worship of God, he is against directing it to altars and images. His statement is reasonable, that such innocent reverence is to have a proper tendency to decency and order should be retained, but against the removal of crosses and images out of churches as superstitious and superstitious, having an apparent tendency to atheism, and that there might be no lighted candles in the chapels, he then gives his reasons against the oath in the same manner, and concludes with these words: "If my subscription be urged against what I have said, I was persuaded it was the practice of synods and councils, that the whole body should subscribe to these articles, are passed by the major part as synodical acts, notwithstanding their private dissent: if my subscription happened any more, I am so far recant and condemn it in myself, and in the parliament of God and the church, resolving by God's grace to be more cautious hereafter." Mr. Warristree's behavior showed him to be a wise and discreet clergyman: and his being sequestered from his livings some time after, for not submitting to the parliament, shows him to have been a man of principle, not to be moved from his integrity by the resentment of his friends, or the flatteries of his enemies. And though the convocation was so sanguine at their first coming together, as to despise Mr. Warristree's motion, yet when they saw the vigorous resolutions of the house of commons against the canons, and the articles of impeachment against the metropolitan for high treason, one of which was for compiling the late canons, they were dispirited, and in a few weeks deserted their stations in the convocation-house: the bishops also discontinued their meetings, and in a few weeks both houses dwindled to nothing, and broke up without either adjournment or prorogation.

To return to the parliament. It was argued against the late convocation, that they were no legal assembly after the dissolution of the parliament; that his majesty had no more power to continue them than to recall his parliament\*; nor could he by

\* Archbishop Laud, to exculpate himself from blame in this matter, declared, that "this sitting of the convocation was not by his advice or desire, but that he humbly desired a writ to dissolve it." It was set up in defence of this measure (and the argument has since been adopted by Dr. Warner), that the parliament and

his letters patent convert them into a national or provincial synod, because the right of their election ceasing at the expiration of the convocation, they ought to have been rechosen before they could act in the name of the clergy whom they represented, or bind them by their decrees. It is contrary to all law and reason in the world, that a number of men met together in a convocation, upon a summons limited to a certain time, should after the expiration of that time, by a new commission, be changed into a national or provincial synod, without the voice or election of any one person concerned. The commons were therefore at a loss by what name to call this extraordinary assembly, being in their opinion neither convocation nor synod, because no representative body of the clergy. The words convocation and synod are convertible terms, signifying the same thing, and it is essential to both that they be chosen by (if they are to make constitutions and canons to bind) the clergy. Some indeed have thought of a small distinction, as that a convocation must begin and end with the parliament, whereas a synod may be called by the king out of parliament, but then such an assembly cannot give subsidies for their brethren, nor make laws by which they will be bound.

The objections to the particular canons were these :

1. Against the first canon it was argued, that the compilers of it had invaded the rights and prerogatives of parliament, by pretending to settle and declare the extent of the king's power, and the subjects' obedience.

By declaring the sacred order of kings to be of divine right, founded in the prime laws of nature and revelation, by which they condemned all other governments.

By affirming that the king had an absolute power over all his subjects, and a right to the subsidies and aids of his people without consent of parliament.

By affirming that subjects may not bear arms against their king, either offensive or defensive, upon any pretence whatsoever, upon pain of receiving to themselves damnation.

By taking upon themselves to define some things to be treason not included in the statute of treasons.

And lastly, by inflicting a penalty on such of the king's subjects

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convocation being separate bodies, and convened by different writs, the dissolution of the former does not necessarily infer the dissolution of the latter, which could not rise till discharged by another writ. Dr. Burn has advanced this reason into a general principle, but on no other authority than that of Dr. Warner in this case. The lord-keeper, the judges, and king's council, assured the king, that the clergy might legally continue their sitting. But much allowance is to be made for the influence under which the opinion of court-lawyers is given; as in the case of ship-money. Mr. Neal's reasoning on this point, carries great weight with it. Lord Clarendon speaks of the continued sitting of the convocation as rather unprecedented; for he says, that this assembling of the clergy customarily began and ended with parliaments. It was evidently impolitic, in such a conjuncture of time, to deviate from the custom, and to stretch the prerogative. Dr. Grey's *Examination in loc.* Nalson's Collections, vol. 1. p. 365. Warner's Eccles. Hist. vol. 2. p. 535. Burn's Eccles. Law, vol. 2. p. 27; and Lord Clarendon's Hist. vol. 1. Ed.



ought so to stand:" which words are a mere tautology, or else must infer some further right than that which is included in the legal establishment, which can be no other than a divine right. Now, though it should be allowed, that the government of the church by bishops is of divine right, yet certainly archbishops, deans, and archdeacons, can have no pretence to that claim.

Besides, to swear, "never to give our consent to alter the government of this church by archbishops, bishops, &c. as it stands now established," is directly contrary to the oath of supremacy, for in that oath we are sworn to assist his majesty in the exercise of his ecclesiastical jurisdiction or government, by his commission under the great seal, directed to such persons as he shall think meet; so that if his majesty should think fit at any time to commission other persons to exercise ecclesiastical jurisdiction than at present, we are sworn by the oath of supremacy, not only to consent, but to aid and assist him in it; whereas in this new oath we swear, never to consent to any such alteration.

Nothing is more evident, than that the discipline of the church is alterable; the church itself laments the want of godly discipline; and many of the clergy and laity wish and desire an amendment; it is therefore very unreasonable, that all who take degrees in the universities, many of whom may be members of parliament, shall be sworn beforehand, "never to consent to any alteration." And though it is known to all the world that many of the conforming clergy are dissatisfied with some branches of the present establishment, yet they are to swear that they take this oath "heartily and willingly," though they are compelled to it under the penalties of suspension and deprivation. Some objections were made to the seventh and other canons, but these were the chief.

Archbishop Laud, in his answer to the impeachment of the house of commons against himself, boldly undertakes to refute all these objections, and to justify the whole, and every branch of the canons; his words are these: "I hope I am able to make it good in any learned assembly in Christendom, that this oath, and all those canons (then made, and here before recited), and every branch in them, are just and orthodox, and moderate, and most necessary for the present condition of the church of England, how unwelcome soever to the present distempers \*." Lord Clarendon expresses himself modestly on the other side; he doubts, whether the convocation was a legal assembly after the dissolution of the

\* Dr. Grey asks here, "Where does the archbishop say this? Our historian quotes no authority; and as he is often faulty when he quotes chapter and verse, so without it I am unwilling wholly to depend upon his bare *ipse dixit*." The editor is not able, at present, to supply here Mr. Neal's omission; but he finds the same words of archbishop Laud quoted by Dr. Warner (who never refers to his authorities), as spoken in the house of lords. And the doctor expresses on them his belief, that as to many of the articles contained in the canons, the archbishop here undertook to do what he would have found it difficult to make good. *Eccles. History*, vol. 2. p. 535.—Ed.



parliament, and is very sure, that their proceedings are not to be justified. "The convocation-house (says he), which is the regular and legal assembling of the clergy, was, after the determination of the parliament, continued by a new writ under the proper title of a synod; made canons, which it was thought it might do; and gave subsidies out of parliament, and enjoined oaths, which certainly it might not do; in a word, did many things which in the best of times might have been questioned, and therefore were sure to be condemned in the worst." The parliament that sat after the Restoration was of the same mind with his lordship, forasmuch as these canons were excepted out of the act of 13 Car. II. cap. 12, and declared of no validity. Mr. Echard is of opinion, that the synod that framed these canons was not a legal representative of the clergy after the dissolution of the two houses. But bishop Kennet, in his complete history, says, that these public censures of the canons were grounded upon prejudice and faction; that it is hard to find any defect of legality in the making of them; and that if these canons were not binding, we have no proper canons since the Reformation; he therefore wishes them, or some others like them, revived, because "in very much of doctrine and discipline they are a good example to any future convocation; and, that we can hardly hope for unity, or any tolerable regularity, without some constitutions of the like nature." Strange! that a dignified clergyman, who held his bishoprick upon revolution principles, should wish the subversion of the constitution of his country, and declare for principles of persecution. If I might have liberty to wish, it should be, that neither we nor our posterity may ever enjoy the blessings of unity and regularity upon the footing of such canons.

Upon the same day that the house passed the above-mentioned resolutions against the canons, several warm speeches were made against the archbishop of Canterbury, as the chief author of them; and a committee was appointed to inquire more particularly, how far his grace had been concerned in the proceedings of the convocation, and in the treasonable design of subverting the religion and laws of his country, in order to draw up articles against him. Next day the earl of Bristol acquainted the house of lords, that the Scots commissioners had presented some papers against the archbishop of Canterbury\*, which were read by the lord Paget, and then reported to the house of commons, at a conference between the two houses. Their charge consisted of divers griev-

\* "Mr. Neal (says Dr. Grey) has given us all the objections of the Scots against the archbishop; and I am so old-fashioned a person, as to think, that the archbishop's answers to their objections should likewise have been produced by an impartial historian." He renews the same complaint against our author in his second volume, p. 173. Mr. Neal's reason, for passing over the archbishop's answer, appears to have been, that his grace evaded the whole charge at his trial, by pleading the act of oblivion at the pacification of the Scots troubles. But, as Dr. Grey has endeavoured to supply Mr. Neal's deficiency, the substance of the archbishop's defences shall be given in the following notes; and the reader will judge of their importance, and of Mr. Neal's conduct in omitting them.—Ed.

ances (which had occasioned great disturbances in the kingdom of Scotland), ranged under three heads, of all which they challenged the archbishop to be the chief author upon earth.

The first branch of the charge consisted of "divers alterations in religion, imposed upon them without order, and against law, contrary to the form established in their kirk;" as, his enjoining the bishops to appear in the chapel in their whites (1), contrary to the custom of their kirk, and the archbishop's own promise; his directing the English service to be read in the chapel twice a day (2); his ordering a list of those counsellors and senators of the college of justice, who did not communicate in the chapel, according to a form received in their kirk, to be sent up to him, in order to their being punished (3); his presumptuous censuring the practice of the kirk, in fasting sometimes on the Lord's day, as opposite to Christianity itself (4); his obtaining warrants for the sitting of a high-commission court once a week at Edinburgh (5); and his directing the taking down of galleries and stone-walls in the kirks of Edinburgh and St. Andrew's, to make way for altars and adoration towards the east (6).

The second branch of their charge was, "his obtruding upon them a book of canons and constitutions ecclesiastical, devised for the establishing a tyrannical power in the persons of their prelates, over the consciences, liberties, and goods, of the people (7); and

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(1) His grace replies to this charge, "that he understood himself a great deal better than to enjoin where he had no power: and, perhaps he might express his majesty's command, as dean of his chapel in England, that the service in Scotland should be kept answerable to it here as much as might be."—Ed.

(2) Here his grace pleads his majesty's command; and his hope, that it was no crime for a bishop in England to signify to one in Scotland, the king's pleasure concerning the service of his own chapel.—Ed.

(3) The defence set up on this head by the archbishop was, the king's command; and that the form prescribed, which was kneeling, was an article of the synod of Perth, made in a general assembly, and confirmed by act of parliament. As to the requisition itself, he pleaded, that it amounted to no more, than if his majesty should command all his judges and counsellors in England, once in the year, to receive the communion in his chapel at Whitehall.—Ed.

(4) The archbishop vindicates himself, in this instance, by ample testimonies from the fathers, and by decrees of ancient councils, to prove that, in the ancient church, it was held unlawful to fast on the Lord's day. The fact, there is no doubt, was so, and it gave the archbishop a ground of arguing with the church of Scotland on their practice: but would it justify the asperity of censure towards weaker Christians? or the exercise of authority, where every one ought to be persuaded in his own mind?—Ed.

(5) His grace answers to this charge, that the warrants were not procured by him, but by a Scotchman, of good place, employed about it by the bishops: and that the high-commission court was settled, and in full execution in the church of Scotland, in 1610, before ever he appeared in public life.—Ed.

(6) The archbishop absolutely denies, to the best of his memory, giving command, or direction, for taking down the galleries of St. Andrew's: and urges, that it was very improbable, that he should issue such commands, where he had nothing, who in London, and other parts of his province, permitted the galleries of the churches to stand. As to the galleries and stone-walls in the kirks of Edinburgh, they were removed by the king's command; not to make way for altars and adoration towards the east, but to convert the two churches into a cathedral.—Ed.

(7) The term "obtruding" the archbishop thinks bold, especially as pointing at the king's authority, whose command enjoined the book of canons on the church



for abolishing that discipline and government of their kirk, which was settled by law, and had obtained amongst them ever since the Reformation." For proof of this they alleged that the book of canons was corrected, altered, and enlarged, by him at his pleasure, as appears by the interlineations and marginal notes in the book, written with the archbishop's own hand: that he had added some entire new canons, and altered others, in favour of superstition and Popery; and in several instances relating to the censures of the church, had lodged an unbounded power in the prelates over the consciences of men.

The third and great innovation with which they charged the archbishop, was, "the book of common prayer, administration of the sacraments, and other parts of divine worship, brought in without warrant from their kirk, to be universally received as the only form of divine service, under the highest pains both civil and ecclesiastical (1); which book contained many Popish errors and ceremonies, repugnant to their confession of faith, constitutions of their general assemblies, and to acts of parliament." Several of these errors are mentioned in the article, and they declare themselves ready, when desired, to discover a great many more of the same kind; all which were imposed upon the kingdom, contrary to their earnest supplications; and upon their refusal to receive the service-book, they were, by his grace's instigation, declared rebels and traitors (2); an army was raised to subdue them, and a prayer composed and printed by his direction, to be read in all the parish-churches in England, in time of divine service, wherein they are called "traitorous subjects, having cast off all obedience to their sovereign;" and supplication is made to the Almighty, to cover their faces with shame, as enemies to God and the king. They therefore pray, that the archbishop\* may be immediately removed from his majesty's presence, and that he may be brought to a trial, and receive such censure as he has deserved, according to the laws of the kingdom.

The archbishop has left behind him a particular answer to these articles, in his diary †, which is written with peculiar sharpness of

of Scotland, and who in this exercised no other power than that which king James challenged as belonging to him in right of his crown. His grace does not allow the imputations cast on the book of canons; and, if they did not belong to them, he pleads that it was owing to invincible ignorance and the Scotch bishops, who would not tell wherein the canons went against their laws, if they did. As to himself, it was his constant advice, in the whole business, that nothing against law should be attempted.—Ed.

(1) "That the liturgy was brought in without warrant of the kirk," if it were true, the archbishop pleads was the fault of the Scotch prelates, whom he had, on all occasions urged to do nothing, in this particular, without warrant of law; and to whom, though he approved the liturgy, and obeyed his majesty's command in helping to order that book, he wholly left the manner of introducing it; because he was ignorant of the laws of Scotland.—Ed.

(2) His grace contends, that they deserved these titles, but he did not procure that they should be declared such: but the proclamation fixing these names on them, went out by the common advice of the lords of the council.—Ed.

\* In the original, "this great firebrand." Dr. Grey.

† In the History of his Troubles and Trial. Dr. Grey.

style, and discovers a great opinion of his own abilities, and a contempt of his adversaries; but either from a distrust of the strength of his reply, or for some other reasons, his grace was pleased wisely to evade the whole charge at his trial, by pleading the act of oblivion (3) at the pacification of the Scots troubles\*.

When the report of these articles was made to the commons, the resentments of the house against the archbishop immediately broke out into a flame; many severe speeches were made against his late conduct; and among others, one was by sir Harbottle Grimstone, speaker of that parliament, which restored king Charles II., who stood up and said, "that this great man, the archbishop of Canterbury, was the very sty of all that pestilential filth that had infested the government; that he was the only man that had advanced those, who, together with himself, had been the authors of all the miseries the nation now groaned under; that he had managed all the projects that had been set on foot for these ten years past, and had condescended so low as to deal in tobacco, by which thousands of poor people had been turned out of their trades, for which they served an apprenticeship; that he had been charged in this house, upon very strong proof, with designs to subvert the government, and alter the Protestant religion in this kingdom, as well as in Scotland; and there is scarce any grievance or complaint comes before the house, wherein he is not mentioned, like an angry wasp, leaving his sting in the bottom of every thing." He therefore moved, that the charge oft he Scots commissioners might be supported by an impeachment of their own; and, that the question might now be put, whether the archbishop had been guilty of high treason? which being voted, Mr. Hollis was immediately sent up to the bar of the house of lords to impeach him in the name of all the commons of England, and to desire, that his person might be sequestered, and that in convenient time they would bring up the particulars of their charge; upon which his grace, being commanded to withdraw, stood up in his place and said, "that he was heartily sorry for the offence taken against him, but humbly desired their lordships to look upon the whole course of his life, which was such, as that he was persuaded not one man in the house of commons did believe in his heart that he was a traitor." To which the earl of Essex replied, "that it was a high reflection upon the whole house of commons, to suppose that they would charge him with a crime which themselves did not believe." After this his grace withdrew, and being called in again, was de-

(3) This Dr. Grey denies, and adds, "that he pleaded the king's special pardon." The doctor confounds here two different matters. The act of oblivion was pleaded by his grace, before the trial came on, to cover himself from the charge of the Scots commissioners; the king's pardon was produced when the trial was over, in bar of the ordinance passed for his execution. Mr. Neal, in which he is supported by the authority of Collyer, speaks of the former. Lord Clarendon, whom Dr. Grey quotes, speaks of the latter. The reader will not deem it generous in the doctor to impeach Neal's veracity on the ground of his own mistake.—ED.  
cles. Hist. vol. 1. p. 380.



livered to the usher of the black rod, to be kept in safe custody till the house of commons should deliver in their articles of impeachment.

Upon the 26th of February Mr. Pym, Mr. Hampden, and Mr. Maynard, by order of the commons, went up to the lords, and at the bar of that house presented their lordships with fourteen articles, in maintenance of their former charge of high-treason against the archbishop, which were read, his grace being present.

In the first, he is charged with endeavouring to subvert the constitution, by introducing an arbitrary power of government, without any limitation or rule of law. In the second, he is charged with procuring sermons to be preached, and other pamphlets to be printed, in which the authority of parliaments is denied, and the absolute power of the king asserted to be agreeable to the law of God. The third article charges him with interrupting the course of justice, by messages, threatenings, and promises, to the judges. The fourth, with selling justice in his own person, under colour of his ecclesiastical jurisdiction, and with advising his majesty to sell places of judicature, contrary to law. In the fifth, he is charged with the canons and oath imposed on the subject by the late convocation. In the sixth, with robbing the king of supremacy, by denying the ecclesiastical jurisdiction to be derived from the crown. In the seventh, with bringing in Popish doctrines, opinions, and ceremonies, contrary to the articles of the church, and cruelly persecuting those who opposed them. In the eighth, he is charged with promoting persons to the highest and best preferments in the church, who are corrupt in doctrine and manners. In the ninth, with employing such for his domestic chaplains, as he knew to be popishly affected, and committing to them the licensing of books, whereby such writings have been published as have been scandalous to the Protestant religion. The tenth article charges him with sundry attempts to reconcile the church of England with the church of Rome. The eleventh, with discountenancing of preaching, and with silencing, depriving, imprisoning, and banishing, sundry godly and orthodox ministers. The twelfth, with dividing the church of England from the foreign Protestant churches. The thirteenth, with being the author of all the late disturbances between England and Scotland. And the last, with endeavouring to bereave the kingdom of the legislative power, by alienating the king's mind from his parliaments.

At the delivery of these articles Mr. Pym declared, that the commons reserved to themselves the liberty of presenting some additional articles, by which they intended to make their charge more particular and certain, as to the time and other circumstances, and prayed their lordships to put the cause into as quick a forwardness as they could.

When the archbishop had heard the articles read, he made his obeisance to the house, and said, "that it was a great and heavy charge, and that he was unworthy to live if it could be made good; however, it was yet but in generals, and generals made a great noise, but were no proof. For human frailties he could not excuse himself, but for corruption in the least degree, he feared no accuser that would speak truth. But that which went nearest him, was that he was thought false in his religion, as if he should profess with the church of England, and have his heart at Rome." He then besought their lordships that he might enlarge himself, and so made a short reply to each article, which consisted in an absolute denial of the whole. The lords voted him to the Tower; whither he was carried in Mr. Maxwell's coach through the city, on Monday, March 1. It was designed he should have passed incognito; but an apprentice in Newgate-street happening to know him raised the mob, which surrounded the coach, and followed him with huzzas and insults till he got within the Tower gate. Indeed, such was the universal hatred of all ranks and orders of men against this insolent prelate, for his cruel usage of those who had fallen into his hands in the time of his prosperity, that no man's fall in the whole kingdom was so unlamented as his. His grace being lodged in the Tower, thought it his interest to be quiet, without so much as moving the lords to be brought to a trial, or putting in his answer to the articles of impeachment, till the commons, after two or three years, exhibited their additional articles, and moved the peers to appoint a day for his trial.

Before the archbishop was confined, he had the mortification to see most of the church and state prisoners released. November 16, the bishop of Lincoln was discharged from his imprisonment in the Tower and his fine remitted. Next day being a public fast he appeared in the Abbey-church at Westminster, and officiated as dean. When he resumed his seat in the house of lords, he behaved with more temper than either the king or the archbishop could expect; whereupon his majesty sent for him, and endeavoured to gain him over to the court, by promising to make him full satisfaction for his past sufferings; in order to which his majesty commanded all the judgments that were entered against him to be discharged, and within a twelvemonth translated him to the archbishopric of York, with leave to hold his deanery of Westminster *in commendam* for three years; the bishop therefore never complained to the house of his sufferings, nor petitioned for satisfaction.

Mr. Prynne, Mr. Burton, and Dr. Bastwick, being remanded from the several islands to which they had been confined upon their humble petition to the house of commons, were met some miles out of town by great numbers of people on horseback with rosemary and bays in their hats, and escorted into the city in a sort of triumph, with loud acclamations for their deliverance; and a weeks after, the house came to the following resolutions:



"That the several judgments against them were illegal, unjust, and against the liberty of the subject; that their several fines be remitted; that they be restored to their several professions; and that, for reparation of their losses, Mr. Burton ought to have 6,000*l.* and Mr. Prynne and Dr. Bastwick 5,000*l.* each, out of the estates of the archbishop of Canterbury, the high-commissioners, and those lords who had voted against them in the star-chamber;" but the confusion of the times prevented the payment of the money.

Dr. Leighton was released about the same time, and his fine of 10,000*l.* remitted: the reading his petition drew tears from the house, being to this effect:

"The humble petition of Alexander Leighton, prisoner in the Fleet,

"Humbly sheweth,

"That on February 17, 1630, he was apprehended coming from sermon by a high-commission warrant, and dragged along the streets with bills and staves to London-house. That the jailer of Newgate being sent for, clapped him in irons, and carried him with a strong power into a loathsome and ruinous dog-hole, full of rats and mice, that had no light but a little grate, and the roof being uncovered, the snow and rain beat in upon him, having no bedding, nor place to make a fire, but the ruins of an old smoky chimney. In this woful place he was shut up for fifteen weeks, nobody being suffered to come near him, till at length his wife only was admitted.

"That the fourth day after his commitment the pursuivant, with a mighty multitude, came to his house to search for Jesuits' books, and used his wife in such a barbarous and inhuman manner as he is ashamed to express; that they rifled every person and place, holding a pistol to the breast of a child of five years old, threatening to kill him if he did not discover the books; that they broke open chests, presses, boxes and carried away every thing, even household stuff, apparel, arms, and other things; that at the end of fifteen weeks he was served with a subpoena, on an information laid against him by sir Robert Heath, attorney general, whose dealing with him was full of cruelty and deceit; but he was then sick, and, in the opinion of four physicians, thought to be poisoned, because all his hair and skin came off; that in the height of this sickness the cruel sentence was passed upon him mentioned in the year 1630, and executed November 26, following, when he received thirty-six stripes upon his naked back with a three-fold cord, his hands being tied to a stake, and then stood almost two hours in the pillory in the frost and snow, before he was branded in the face, his nose slit, and his ears cut off: that after this he was carried by water to the Fleet, and shut up in such a room that he was never well, and after eight years was turned into the common jail." The house voted him satisfaction for his

sufferings; but it does not appear that he actually received any, except being keeper of Lambeth-house as a prison, for which he must be very unfit, being now in the seventy-second year of his age, and worn out with poverty, weakness, and pain.

Besides those afore named, there were likewise set at liberty, Dr. Osbaldeston, one of the prebendaries of Westminster; the reverend Mr. Henry Wilkinson, B. D. of Magdalen-hall Oxford, Mr. Smith, Wilson, Small, Cooper, and Brewer, who had been in prison fourteen years\*; Mr. George Walker, who had been committed for preaching a sermon October 14, 1638, at St. John the Evangelist's, London, and detained four weeks in the hands of a messenger, to whom he paid 20*l.* fees†. This gentleman after his prosecution in the star-chamber, had been shut up ten weeks in the Gate-house, and at last compelled to enter into a bond of 1,000*l.* to confine himself prisoner in his brother's house at Chiswick, where he continued till this time, his parsonage being sequestered; and in general all who were confined by the high-commission were released, passing their words to be forthcoming whenever they should be called for.

The imprisonment of the above-mentioned gentlemen being declared illegal, it is natural to imagine the house would make some inquiry after their prosecutors. About the latter end of January, Dr. Cosins, prebendary of Durham, and afterward bishop of the diocess, was sent for into custody, on account of the superstitious innovations which he had introduced into that cathedral‡. The doctor in his answer denied the whole charge, and as to the particulars, he replied, that the marble altar with cherubim was set up before he was prebendary of the church§; that he did not approve of the image of God the Father, and that to his knowledge there was no such representation in the church at Durham; that the crucifix with a blue cap and golden beard, was mistaken for the top of bishop Hatfield's tomb, which had been erected many years before; that there were but two candles on the communion-table; and, that no more were used on Candlemas-night than in the Christmas holidays; that he did not forbid the singing the psalms in metre||; nor direct the singing of the anthem to the three kings of Colen¶; nor use a consecrated knife at the sacrament. The lords were so far satisfied with the doctor's answer, as not to commit him at present\*\*; but the commons having

\* Nalson's Col. p. 571.

† Ibid. p. 570.

‡ Ibid. p. 273.

§ But when Smart was one of the chapter; and that many of the things objected to himself were introduced while his accuser was prebendary. Dr. Grey from Collyer.—Ed.

|| But used to sing them himself, with the people at morning-prayer.—Ed.

¶ But ordered it, on his firstcoming to the cathedral, to be cut out of the old song-book belonging to the choristers: and no such anthem had been sung in the choir during his being there, nor, as far as his inquiry could reach, for threescore years before. Dr. Grey from Collyer.—Ed.

\*\* The doctor's answer was entered on the rolls of parliament, and made good by the lords by himself, and by the witness that Smart and his son-in-law pro-



voted him unfit to hold any ecclesiastical promotion, the doctor, foreseeing the storm that was coming upon the church, wisely withdrew into France\*, where he behaved discreetly and prudently till the Restoration, being softened in his principles by age and sufferings.

Dr. Matthew Wren, late bishop of Norwich, and now of Ely, having been remarkably severe against the Puritan clergy in his diocesses, the inhabitants of Ipswich drew up a petition against him, and presented it to the house December 22, 1640†; upon which the committee of parliament exhibited a charge against him, consisting of twenty-five articles relating to the late innovations. It was carried up to the lords by sir Thomas Widdrington, and sets forth, that during the time of his being bishop of Norwich, which was about two years, fifty ministers had been excommunicated, suspended, and deprived, "for not reading the second service at the communion-table; for not reading the book of sports; for using conceived prayers before the afternoon sermon," &c. and that by his rigorous severities many of his majesty's subjects, to the number of three thousand, had removed themselves, their families and estates, to Holland, and set up their manufactories there, to the great prejudice of the trade of this kingdom. I do not find that the bishop put in a particular answer to these articles, nor was he taken into custody, but only gave bond for his appearance. Some time after the commons voted him unfit to hold any ecclesiastical preferment in the church; and both lords and commons joined in a petition to the king, to remove the said bishop from his person and service; after which he was imprisoned, with the rest of the protesting bishops. Upon his release he retired to his house at Downham in the Isle of Ely, from whence he was taken by a party of parliament soldiers and conveyed to the Tower, where he continued a patient prisoner till the end of the year 1659, without being brought to his trial, or admitted to bail.

Complaints were made against several other bishops and clergymen, as, Dr. Pierce bishop of Bath and Wells, Dr. Montague bishop of Norwich, Dr. Owen bishop of Landaff, and Dr. Manwaring bishop of St. David's; but the house had too many affairs upon their hands to attend to their prosecutions. Of the inferior

duced against him. Upon this Smart's lawyer told him, at the bar of the house of lords, that he was ashamed of the complaint, and refused to proceed in the support of it. Collyer also says, that many of the lords declared, that Smart had abused the house of commons with a groundless complaint against Cosins; who, by an order from the lords, delivered to him by the earl of Warwick, had liberty to go where he pleased. *Eccles. History*, vol. 2. p. 798.—Ed.

\* He fixed his residence in Paris, where he was appointed chaplain to the Protestant part of queen Henrietta's family. Many advantageous offers were made him, to tempt him over to the communion of the church of Rome; and he was also attacked by threats of assassination; but continued an unshaken Protestant. The arts of the Papists succeeded with his only son, whom they prevailed with to embrace the Catholic faith, and to take upon him religious orders. This was a very heavy affliction to his father, who on this ground left his estate from him. *Granger's Hist. of England*, vol. 3. p. 234, 8vo; and *Nelson's Collections*, vol. 1. p. 519.—Ed.

† *Nelson's Collections*, p. 692.

clergy, Dr. Stone, Chaffin, Aston, Jones, and some others, who had been instruments of severity in the late times, were voted unfit for ecclesiastical promotions. Dr. Layfield, archdeacon of Essex, pleaded his privilege as a member of convocation, according to an old Popish statute of Henry VI.\*, but the committee overruled it, and voted the doctor into custody of the serjeant at arms; Dr. Pocklington, canon of Windsor, and prebendary of Peterborough, was complained of for two books, one entitled the Christian Altar; the other, Sunday no Sabbath; which had been licensed by Dr. Bray, one of the archbishop's chaplains. The doctor acknowledged his offence at the bar of the house, confessed that he had not examined the books with that caution that he ought, and made a public recantation in the church of Westminster; but Pocklington, refusing to recant about thirty false propositions, which the bishop of Lincoln had collected out of his books, was sentenced by the lord-keeper "to be deprived of his ecclesiastical preferments; to be for ever disabled to hold any place or dignity in the church or commonwealth; never to come within the verge of his majesty's court; and his books to be burnt by the hands of the common hangman, in the city of London and the two universities." Both the doctors died soon after. The number of petitions that were sent up to the committee of religion from all parts of the country against their clergy is incredible; some complaining of their superstitious impositions, and others of the immorality of their lives, and neglect of their cures; which shews the little esteem they had among the people, who were weary of their yoke, regarding them no longer than they were under the terror of their excommunications.

Such was the spirit of the populace, that it was difficult to prevent their outrunning authority, and tearing down in a tumultuous manner what they were told had been illegally set up. At St. Saviour's Southwark, the mob pulled down the rails about the communion table. At Halstead in Essex, they tore the surplice and abused the service-book; nay, when the house of commons was assembled at St. Margaret's Westminster, as the priest was beginning his second service at the communion-table, some at the lower end of the church began a psalm, which was followed by

\* There was no particular propriety, rather it was, as Dr. Grey intimates, somewhat invidious in Mr. Neal, thus to characterize this statute, relative to the privilege of the clergy coming to convocation, as it must, being of so ancient a date, necessarily be Popish; as is one fourth part of the statute law: and there are various instances of its being enforced since the Reformation, and even in the present century; of which Dr. Grey gives ample proof.—Ed.

† Dr. Grey judges it not at all incredible; because, on the authority of lord Clarendon, he adds, unfair methods of obtaining petitions were used in those times of iniquity and confusion. The disingenuous art, of which his lordship complains, was procuring signatures to a petition drawn up in modest and dutiful terms, and then cutting it off and substituting another of a different strain and spirit, and annexing it to the list of subscribers. This practice, if his lordship asserted it on  
deserves to be censured in the strongest terms. A virtuous mind  
 asion to be surprised, and shocked, at the arts which party preju-  
 a adopt. History of the Rebellion, vol. 1. p. 203.—Ed.



the congregation, so that the minister was forced to desist. But to prevent these seditious practices for the future, the lords and commons passed a very severe sentence on the rioters, and published the following order, bearing date January 16, 1640-1, appointing it to be read in all the parish-churches in London, Westminster, and the borough of Southwark, viz. "That divine service shall be performed as it is appointed by the acts of parliament of this realm; and that all such as disturb that wholesome order shall be severely punished by law." But then it was added, "that the parsons, vicars, and curates, of the several parishes, shall forbear to introduce any rites or ceremonies that may give offence, otherwise than those which are established by the laws of the land." The design of this proviso was to guard against the late innovations, and particularly, against the clergy's refusing the sacrament to such as would not receive it kneeling at the rails.

There was such a violent clamour against the high clergy, that they could hardly officiate according to the late injunctions, without being affronted, nor walk the streets in their habits, says Nalson, without being reproached as Popish priests, Cæsar's friends, &c. The reputation of the liturgy began to sink; reading prayers was called a lifeless form of worship, and a quenching the Holy Spirit, whose assistances are promised in the matter, as well as the manner of our prayers; besides, the nation being in a crisis, it was thought impossible that the old forms should be suitable to the exigency of the times, or to the circumstances of particular persons, who might desire a share in the devotions of the church. Those ministers, therefore, who prayed with fervency and devotion\*, in words of their own conception, suitable either to the sermon that was preached, or to the present urgency of affairs, had crowded and attentive auditories, while the ordinary service of the church was deserted as cold, formal, and without spirit.

The discipline of the church being relaxed, the Brownists or Independents, who had assembled in private, and shifted from house to house for twenty or thirty years, resumed their courage, and shewed themselves in public. We have given an account of their origin, from Mr. Robinson and Mr. Jacob, in the year 1616, the last of whom was succeeded by Mr. John Lathorp, formerly a clergyman in Kent, but having renounced his orders, he became

\* Dr. Grey gives some specimens of this, which are very much in the style of those in the piece entitled "Scotch Presbyterian Eloquence." The improved taste of this age, and rational devotion, revolt at them. But Dr. Grey did not reflect, that the offensive improprieties, which he exposes, were not peculiar to extemporary prayer, nor to the Puritans; they were agreeable to the fashion of the age, and incorporated themselves with the precomposed prayers published by royal command. The thanksgiving for victory in the north, 1643, affords an instance of this. "Lord! look to the righteousness of our cause. See the seamless coat of thy Son torn, the throne of thine Anointed trampled on, thy church invaded by sacrilege, and thy people miserably deceived with lies." Robinson's Translation of Claude's Essay on the Composition of a Sermon, vol. 2. p. 84.—Ed.

pastor of this little society. In his time the congregation was discovered by Tomlinson, the bishop's pursuivant, April 29, 1632, at the house of Mr. Humphry Barnet, a brewer's clerk, in Blackfriars, where forty-two of whom were apprehended and only eighteen escaped: of those that were taken, some were confined in the Clink, others in New-prison and the Gate-house, where they continued about two years, and were then released upon bail, except Mr. Lathorp, for whom no favour could be obtained; he therefore petitioned the king for liberty to depart the kingdom, which being granted, he went in the year 1634, to New England, with about thirty of his followers. Mr. Lathorp was a man of learning, and of a meek and quiet spirit, but met with some uneasiness, upon occasion of one of his people carrying his child to be rebaptized by the parish-minister; some of the congregation insisting, that it should be baptized, because the other administration was not valid; but when the question was put, it was carried in the negative, and resolved by the majority, not to make any declaration at present, whether or no parish-churches were true churches? Upon this some of the more rigid, and others who were dissatisfied about the lawfulness of infant baptism, desired their dismissal, which was granted them; these set up by themselves, and chose Mr. Jesse their minister, who laid the foundation of the first Baptist congregation\* that I have met with in England. But the rest renewed their covenant, "to walk together in the ways of God, so far as he had made them known or should make them known to them, and to forsake all false ways." And so steady were they to their vows, that hardly an instance can be produced, of one that deserted to the church by the severest prosecutions.

Upon Mr. Lathorp's retiring into New England, the congregation chose for their pastor the famous Mr. Canne†, author of the marginal references in the Bible, who after he had preached to them in private houses for a year or two, was driven by the severity of the times into Holland, and became pastor of the Brownist congregation at Amsterdam.

\* According to Crosby this is a mistake, for there were three Baptist churches in England before that of Mr. Jesse. One formed by the separation of many persons from Mr. Lathorp's in 1633, before he left England. Another by a second separation from the same church in 1638, the members of which joined themselves to Mr. Spilsbury. And a third, which originated in 1639 with Mr. Green and captain Spencer, whom Mr. Paul Hobson joined. Crosby's History of the English Baptists, vol. 3. p. 41, 42.—Ed.

† Crosby says, that the church, of which Mr. Canne, Mr. Samuel Howe, and Mr. Stephen More, were successively pastors, was constituted and planted by Mr. Hubbard. And it is not certain, whether Mr. Canne was a Baptist or not. He was the author of three sets of notes on the Bible, which accompanied three different editions of it. One printed by him at Amsterdam, 1647; which refers to a former one, and professes to add "many Hebraisms, diversitie of readings, with consonancie of parallel scriptures, taken out of the last annotation, and all set in due order and place." Another is commonly known, and has been often reprinted. There was also an impression of it at Amsterdam, 1664. A new edition of the Bible of 1664, is a desideratum. Two Treatises of Henry Ainsworth, pref. p. 35, note; and Crosby, vol. 3. p. 40.—Ed.



After Mr. Canne, Mr. Samuel Howe undertook the pastoral care of this little flock; he was a man of learning, and printed a small treatise, called, "The sufficiency of the Spirit's teaching\*." But not being enough upon his guard in conversation he laid himself open to the informers, by whose means he was cited into the spiritual courts, and excommunicated; hereupon he absconded, till being at last taken, he was shut up in close prison, where he died. His friends would have buried him in Shoreditch churchyard, but, being excommunicated, the officers of the parish would not admit it, so they buried him in a piece of ground at Anniseed Clear, where many of his congregation were buried after him†.

Upon Mr. Howe's death the little church was forced to take up with a layman, Mr. Stephen More, a citizen of London, of good natural parts, and of considerable substance in the world: he had been their deacon for some years, and in the present exigency accepted of the pastoral office, to the apparent hazard of his estate and liberty. However, the face of affairs beginning now to change, this poor congregation, which had subsisted almost by a miracle for above twenty-four years, shifting from place to place, to avoid the notice of the public, ventured to open their doors in Deadman's Place, in Southwark, January 18, 1640-1. Mr. Fuller calls them a congregation of Anabaptists, who were met together to the number of eighty; but by their journal or church-book, an abstract of which is now before me, it appears to be Mr. More's congregation of Independents, who, being assembled in Deadman's Place on the Lord's day, were disturbed by the marshal of the King's Bench, and most of them committed to the Clink prison. Next morning six or seven of the men were carried before the house of lords, and charged with denying the king's supremacy in ecclesiastical matters, and with preaching in separate congregations, contrary to the statute of the 35th of Eliz. The latter they confessed, and as to the former, they declared to the house, that "they could acknowledge no other head of the church but Christ; that they apprehended no prince on earth had power to make laws to bind the conscience; and that such laws as were contrary to the laws of God, ought not to be obeyed; but that they disowned all foreign power and jurisdiction." Such a declaration a twelvemonth ago might have cost them their ears; but the house, instead of remitting them to the

\* The treatise here mentioned, we are informed, displayed strength of genius, but was written by a cobbler; as appears by the following commendatory lines prefixed to it:

What How? how now? hath How such learning found,  
To throw art's curious image to the ground?  
Cambridge and Oxford may their glory now  
Veil to a cobbler, if they knew but How.

This treatise was founded on 2 Pet. iii. 16, and designed to shew not the insufficiency only of human learning to the purposes of religion, but that it was dangerous and hurtful. So that Mr. Neal was mistaken in speaking of its author as a man of learning. Crosby, vol. 3. p. 39, note.—Ed.

† Crosby's History of the English Baptists, vol. 1. p. 165.

ecclesiastical courts, dismissed them with a gentle reprimand, and three or four of the members came out of curiosity to their assembly next Lord's day to hear their minister preach, and to see him administer the sacrament, and were so well satisfied, that they contributed to their collection for the poor.

To return to the parliament. It has been observed, that one of their first resolutions was to reduce the powers of the spiritual courts. The old Popish canons, which were the laws by which they proceeded (as far as they had not been controlled by the common law or particular statutes), were such a labyrinth, that when the subject was got into the commons he knew not how to defend himself, nor which way to get out. The kings of England had always declined a reformation of the ecclesiastical laws, though a plan had been laid before them ever since the reign of king Edward VI. But the grievance was now become insufferable, by the numbers of illegal imprisonments, deprivations, and fines levied upon the subject in the late times, for crimes not actionable in the courts of Westminster-hall; it was necessary therefore to bring the jurisdiction of these courts to a parliamentary standard, but, till this could be accomplished by a new law, all that could be done was to vote down the late innovations, which had very little effect; and therefore on the 23rd of January the house of commons ordered commissioners to be sent into all the counties to demolish, and remove out of churches and chapels, all "images, altars, or tables turned altarwise, crucifixes, superstitious pictures, or other monuments and relics of idolatry," agreeably to the injunctions of king Edward VI. and queen Elizabeth. How far the house of commons, who are but one branch of the legislature, may appoint commissioners to put the laws in execution, without the concurrence of the other two, is so very questionable, that I will not take upon me to determine.

The university of Cambridge having complained of the oaths and subscriptions imposed upon young students at their matriculation, as subscribing to the Book of Common Prayer, and to the thirty-nine articles, the house of commons voted "that the statute made twenty-seven years ago in the university of Cambridge, imposing upon young scholars a subscription, according to the thirty-sixth canon of 1603, is against law and the liberty of the subject, and ought not to be imposed upon any students or graduates whatsoever." About five months forwards they passed the same resolution for Oxford, which was not unreasonable, because the universities had not an unlimited power, by the thirty-sixth canon, to call upon all their students to subscribe, but only upon such lecturers or readers of divinity whom they had a privilege of licensing; and to this I conceive the last words of the canon refer; "If either of the universities offend therein, we leave them to the danger of the law and his majesty's censure."

And it ought to be remembered, that all the proceedings of the house of commons this year, in punishing delinquents, and



all their votes and resolutions about the circumstances of public worship, had no other view, than the cutting off those illegal additions and innovations, which the superstition of the late times had introduced, and reducing the discipline of the church to the standard of the statute law. No man was punished for acting according to law; but the displeasure of the house ran high against those, who, in their public ministrations, or in their ecclesiastical courts, had bound those things upon the subject which were either contrary to the laws of the land, or about which the laws were altogether silent.

## CHAPTER VIII.

THE ANTIQUITY OF LITURGIES, AND OF THE EPISCOPAL ORDER, DEBATED BETWEEN BISHOP HALL AND SMECTYMNUS. PETITIONS FOR AND AGAINST THE HIERARCHY. ROOT AND BRANCH PETITION. THE MINISTERS' PETITION FOR REFORMATION. SPEECHES UPON THE PETITIONS. PROCEEDINGS AGAINST PAPISTS.

THE debates in parliament concerning the English liturgy and hierarchy engaged the attention of the whole nation, and revived the controversy without doors. The press being open, great numbers of anonymous pamphlets appeared against the establishment, not without indecent and provoking language, under these and the like titles: Prelatical Episcopacy not from the Apostles. Lord Bishops not the Lord's Bishops. Short View of the Prelatical Church of England. A Comparison between the Liturgy and the Mass-book. Service Book no better than a mess of Potage, &c.—Lord Brook attacked the order of bishops in a treatise of the "Nature of episcopacy," wherein he reflects in an ungenerous manner upon the low pedigree of the present bench, as if nothing except a noble descent could qualify men to sit among the peers. Several of the bishops vindicated their pedigree and families, as, bishop Williams, Moreton, Curle, Cooke, Owen, &c. and archbishop Usher defended the order, in a treatise entitled, "The apostolical institution of episcopacy \*;" but then by a bishop his lordship understood no more than a stated president over an assembly of presbyters, which the Puritans of these times were

\* Nalson, in his Collections, vol. 2. p. 279, 280, and after him, Collyer, Ecclesiastical History, vol. 2. p. 808, have abridged the arguments of this piece; but these abstracts do not shew, as Dr. Grey would intimate, the extent of jurisdiction, or the nature of the power, according to bishop Usher's idea, exercised by the primitive bishops. They go to prove only a superiority to elders: and by a quotation from Beza, it should seem that this prelate, as Mr. Neal says, meant by a bishop only a president of the presbytery of a place or district. The Presbyterians are charged with misrepresenting the bishop's opinion, and with printing a faulty and surreptitious copy of his book. If this were done knowingly and designedly, it must rank with such pious arts as deserve censure. Dr. Grey.—Ed.

willing to admit. The most celebrated writer on the side of the establishment, was the learned and pious bishop Hall, who, at the request of archbishop Laud, had published a treatise entitled, "Episcopacy of divine right," as has been related. This reverend prelate, upon the gathering of the present storm, appeared a second time in its defence, in "An humble remonstrance to the high court of parliament;" and some time after, in "A defence of that remonstrance," in vindication of the antiquity of liturgies and of diocesan episcopacy.

The bishop's remonstrance was answered by a celebrated treatise under the title of "Smectymnuus," a fictitious word made up of the initial letters of the names of the authors, viz. Stephen Marshal, Edmund Calamy, Thomas Young, Matthew Newcomen, and William Spurstow. When the bishop had replied to their book, these divines published a vindication of their answer to the "Humble remonstrance;" which, being an appeal to the legislature on both sides, may be supposed to contain the merits of the controversy, and will therefore deserve the reader's attention.

The debate was upon these two heads;

1. Of the antiquity of liturgies, or forms of prayer.
2. Of the apostolical institution of diocesan episcopacy.

1. The bishop begins with liturgies, by which he understands "certain prescribed and limited forms of prayer, composed for the public service of the church, and appointed to be read at all times of public worship." The antiquity of these, his lordship derives down from Moses, by an uninterrupted succession, to the present time. "God's people (says he) ever since Moses' day, constantly practised a set form, and put it ever to the times of the gospel. Our blessed Saviour, and his gracious forerunner, taught a direct form of prayer. When Peter and John went up to the temple at the ninth hour of prayer, we know the prayer wherein they joined was not of an extempore and sudden conception, but of a regular prescription: and the evangelical church ever since thought it could never better improve her peace and happiness, than in composing those religious models of invocation and thanksgiving, which they have traduced unto us, as the liturgies of St. James, Basil, and Chrysostom, and which, though in some places corrupted, serve to prove the thing itself."

Smectymnuus replies, that if there had been any liturgies in the times of the first and most venerable antiquity, the great inquiries after them would have produced them to the world before this time; but that there were none in the Christian church is evident from Tertullian in his Apology, cap. 30, where he says, the Christians of those times, in their public assemblies, prayed "*sine monitore quia de pectore*," without any prompter except their own hearts. And in his treatise of prayer, he adds, there are some things to be asked "according to the occasions of every man." St. Austin says the same thing, ep. 121. "It is free to ask the same things that are desired in the Lord's prayer, *aliis*



*atque aliis verbis*, sometimes in one manner of expression, and sometimes in another." And before this, Justin Martyr in his Apology says, ὁ προεστώς, the president, or he that instructed the people, prayed according to his ability, or as well as he could. Nor was this liberty of prayer taken away till the times when the Arian and Pelagian heresies\* invaded the church; it was then first ordained, that none should pray "pro arbitrio, sed semper easdem preces;" that they should not use the liberty which they had hitherto practised, but should always keep to one form of prayer. Concil. Load. can. 18. Still this was a form of their own composing, as appears by a canon of the council of Carthage, anno 397, which gives this reason for it, "ut nemo in precibus vel patrem pro filio, vel filium pro patre nominet, et cum altari adsistitur semper ad patrem dirigatur oratio; et quicumque sibi preces aliunde describit, non iis utatur nisi prius eas cum fratribus instructoribus contulerit;" i. e. "that none in their prayers might mistake the Father for the Son, or the Son for the Father; and that when they assist at the altar, prayer might be always directed to the Father; and whosoever composes any different forms, let him not make use of them till he has first consulted with his more learned brethren." It appears from hence, that there was no uniform prescribed liturgy at this time in the church, but that the more ignorant priests might make use of forms of their own composing, provided they consulted their more learned brethren; till at length it was ordained at the council of Milan, anno 416, that none should use set forms of prayer, except such as were approved in a synod. They go on to transcribe, from Justin Martyr and Tertullian, the manner of public worship in their times, which was this; first the Scriptures were read; after reading, followed an exhortation to the practice and imitation of what was read; then all rose up and joined in prayer; after this they went to the sacrament, in the beginning whereof the president of the assembly poured out prayers and thanksgivings, according to his ability, and the people said Amen; then followed the distribution of the elements, and a collection of alms. This was Justin Martyr's liturgy or service, and Tertullian's is the same, only he mentions their beginning with prayer before reading the Scriptures, and their love-feasts, which only opened and concluded with prayer, and were celebrated with singing of psalms. Although the Smectymnuans admit that our blessed Saviour taught his disciples a form of prayer, yet they deny that he designed to confine them to the use of those words only, nor did the primitive church so understand it, as has been proved

\* It is to be wished that Mr. Neal had used the word opinions instead of heresies. It was indeed the style of the times, when he wrote, and of many preceding ages: but the application of the term conveys not only the idea of error, but of error accompanied with malignity of mind and guilt. There may be great errors, without any of that criminality, which the word heresy, in the Scripture meaning of it, implieth. Besides pronouncing opinions, heresies is rather the language of authority and infallibility, than of the inquirer after truth, and prejudices the mind.—ED.



from St. Austin. The pretended liturgies of St. James, Basil, and St. Chrysostom, are of little weight in this argument, as being allowed by the bishop, and the most learned critics both Protestants and Papists, to be full of forgeries and spurious insertions. Upon the whole, therefore, they challenge his lordship to produce any one genuine liturgy, used in the Christian church for three hundred years after Christ\*.

From the antiquity of liturgies in general, the bishop descends to a more particular commendation of that which is established in the church of England, as that it was drawn up by wise and good men with great deliberation; that it had been sealed with the blood of martyrs; and was selected out of ancient models, not Roman but Christian.

In answer to which these divines appeal to the proclamation of Edward VI. wherein the original of it is published to the world. The statute mentions four different forms then in use, out of which a uniform office was to be collected, viz. the use of Sarum, of Bangor, of York, and of Lincoln; all which were Roman rather than Christian; they admit his lordship's other encomiums of the English liturgy, but affirm that it was still imperfect, and in many places offensive to tender consciences.

The good bishop, after all, seems willing to compromise the difference about prayer. "Far be it from me (says his lordship) to dishearten any good Christian from the use of conceived prayer in his private devotions, and upon occasion also in the public. I would hate to be guilty of pouring so much water upon the spirit, to which I should gladly add oil rather. No, let the full soul freely pour out itself in gracious expressions of its holy thoughts into the bosom of the Almighty; let both the sudden flashes of our quick ejaculations, and the constant flames of our more fixed conceptions, mount up from the altar of a zealous heart unto the throne of grace; and if there be some stops or solecisms, in the fervent utterance of our private wants, these are so far from being offensive, that they are the most pleasing music to the ears of that God unto whom our prayers come; let them be broken off with

\* Bishop Burnet says, [Hist. Ref. part 2. p. 72.] that it was in the fourth century that the liturgies of St. James, St. Basil, &c. were first mentioned; that the council of Laodicea appointed the same prayers to be used mornings and evenings, but that these forms were left to the discretion of every bishop; nor was it made the subject of any public consultation till St. Austin's time, when, in their dealing with heretics, they found they took advantage from some of the prayers that were in some churches; upon which it was ordered, that there should be no public prayers used but by common advice. Formerly, says the bishop, the worship of God was a pure and simple thing, and so it continued, till superstition had so infected the church, that those forms were thought too naked, unless they were put under more artificial rules, and dressed up with much ceremony. In every age there were notable additions made, and all the writers almost in the eighth and ninth centuries employed their fancies to find out mystical significations for every rite that was then used, till at length there were so many missals, breviaries, rituals, pontificals, pontifices, pies, graduals, antiphonals, psalteries, hours, and a great many more, that the understanding how to officiate was become so hard a piece of trade, that it was not to be learned without long practice.

sobs and sighs, and incongruities of our delivery, our good God is no otherways affected to this imperfect elocution, than an indulgent parent is to the clipped and broken language of his dear child, which is more delightful to him than any other's smooth oratory. This is not to be opposed in another, by any man that hath found the true operations of this grace in himself——" "What I have professed concerning conceived prayers, is that which I have ever allowed, ever practised, both in private and public. God is a free spirit, and so should ours be, in pouring out our voluntary devotions upon all occasions; nothing hinders but that this liberty and a public liturgy should be good friends, and go hand in hand together; and whosoever would forcibly separate them, let them bear their own blame——the over-rigorous pressing of the liturgy, to the justling out of preaching or conceived prayers, was never intended either by the law-makers, or moderate governors of the church." If the bishops, while in power, had practised according to these pious and generous principles, their affairs could not have been brought to such a dangerous crisis at this time.

2. The other point in debate between the bishop and his adversaries, related to the superior order of bishops. And here the controversy was not about the name, which signifies in the Greek no more than an overseer, but about the office and character; the Smectymnuan divines contended, that a primitive bishop was no other than a parochial pastor, or a preaching presbyter, without pre-eminence or any proper rule over his brethren. His lordship on the other hand affirms, that bishops were originally a "distinct order from presbyters, instituted by the apostles themselves, and invested with the sole power of ordination and ecclesiastical jurisdiction;" that in this sense they are of divine institution, and have continued in the church by an uninterrupted succession to the present time. The bishop enters upon this argument with unusual assurance, bearing down his adversaries with a torrent of bold and unguarded expressions. His words are these; "This holy calling (meaning the order of bishops as distinct from presbyters) fetches its pedigree from no less than apostolical, and therefore divine institution. Except all histories, all authors fail us, nothing can be more plain than this; out of them we can and do shew on whom the apostles of Christ laid their hands, with an acknowledgment and conveyance of imparity and jurisdiction. We shew what bishops so ordained lived in the times of the apostles, and succeeded each other in their several charges under the eyes and hands of the then living apostles. We shew who immediately succeeded those immediate successors in their several sees, throughout all the regions of the Christian church, and deduce their uninterrupted line through all the following ages to this present day; and if there can be better evidence under heaven for any matter of fact (and, in this cause, matter of fact so derived evinceth matter of right,) let episcopacy be for ever abandoned out of God's church.—Again, if we do not shew, out of the genuine and undeniable writings of



those holy men who lived both in the times of the apostles and some years after them, and conversed with them as their blessed fellow-labourers, a clear and received distinction both of the names and offices of bishops, presbyters, and deacons, as three distinct subordinate callings in God's church, with an evident specification of the duty and charge belonging to each of them; let this claimed hierarchy be for ever hooted out of the church\*."

The bishop admits† that, in the language of Scripture, bishops and presbyters are the same; that there is a plain identity in their denomination, and that we never find these three orders mentioned together, bishops, presbyters, and deacons; but though there be no distinction of names, his lordship apprehends there is a real distinction and specification of powers; which are,

1. The sole right of ordination.

2. The sole right of spiritual jurisdiction.

1. The sole right of ordination his lordship proves from the words of Paul, 2 Tim. i. 6; "Stir up the gift of God which is in thee by the laying on of my hands;" and that this power was never communicated to presbyters, from the words of St. Jerome, by whom ordination is excepted from the office of a presbyter: "quid facit episcopus, quod non facit presbyter ordinatione." And yet (says his lordship) our English bishops do not appropriate this power to themselves: "Say, brethren, I beseech you after all this noise, what bishop ever undertook to ordain a presbyter alone or without the concurrent imposition of many hands? This is perpetually and infallibly done by us."

The Smectymnuan divines contend, on the other hand, that bishops and presbyters were originally the same; that ordination to the office of a bishop does not differ from the ordination of a presbyter; that there are no powers conveyed to a bishop from which presbyters are excluded; nor any qualification required in one more than in the other; that admitting Timothy was a proper bishop, which they deny, yet that he was ordained by the laying on of the hands of the presbytery as well as of St. Paul's, 1 Tim. iv. 14. That the original of the order of bishops, was from the presbyters choosing one from among themselves to be stated president in their assemblies, in the second or third century; that St. Jerome declares once and again, that in the days of the apostles, bishops and presbyters were the same; that as low as his time they had gained nothing but ordination; and that St. Chrysostom and Theophylact affirm, that while the apostles lived, and for some ages after, the names of bishops and presbyters were not distinguished. This, say they, is the voice of the most primitive antiquity‡. But the Smectymnuans are amazed at his

\* Remonstrance, p. 21.

† Defence, p. 47.

‡ In the debate of the house on this head, the authority of that very ancient parchment copy of the Bible in St. James's library, sent by Cyrillus patriarch of Alexandria to king Charles I. being all written in great capital Greek letters, was vouched and asserted by Sir Simon D'Ewes, a great antiquary, wherein the post-



lordship's assertion, that the bishops of the church of England never ordained without presbyters; and that this was so constant a practice, that no instance can be produced of its being done without them. "Strange! (say they) when some of us have been eye-witnesses of many scores who have been ordained by a bishop in his private chapel, without the presence of any presbyter, except his domestic chaplain, who only read prayers. Besides, the bishop's letters of orders make no mention of the assistance of presbyters, but challenge the whole power to themselves, as his lordship had done in his book entitled, *Episcopacy of Divine Right*, the fifteenth section of which has this title, 'The power of ordination is only in bishops.'"

But the main point upon which the bishop lays the whole stress of the cause is, whether presbyters may ordain without a bishop? For the proof of this, the Smectymnuans produce the author of the comment on the Ephesians, which goes under the name of St. Ambrose, who says, that in Egypt the presbyters ordain if the bishop be not present; so also St. Augustine in the same words; and the chorepiscopus, who was only a presbyter, had power to impose hands, and to ordain within his precincts with the bishop's licence; nay farther, the presbyter of the city of Alexandria, with the bishop's leave, might ordain, as appears from *Con. Ancy.* *Carit.* 3, where it is said, "it is not lawful for chorepiscopi to ordain presbyters or deacons; nor for the presbyters of the city without the bishop's letter, in another parish;" which implies they might do it with the bishop's letter, or perhaps without it, in their own; and Firmilianus says of them who rule in the church, whom he calls "*seniores et præpositi*;" that is, presbyters as well as bishops, that they had the power of baptizing and of laying on of hands in ordaining\*.

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scripts to the epistles to Timothy and Titus are only this, "This first to Timothy, written from Laodicea; to Titus, written from Nicopolis;" whence he inferred, that the styling of Timothy and Titus first bishops of Ephesus and Crete, were the spurious additions of some eastern bishop or monk, at least five hundred years after Christ. Rushworth, vol. 4. p. 284.

\* It may be some satisfaction to the reader, to see the judgment of other learned men upon this argument, which has broken the bands of brotherly love and charity, between the church of England and all the foreign Protestants that have no bishops.

The learned primate of Ireland, archbishop Usher, in his letter to Dr. Bernard, says, "I have ever declared my opinion to be, that '*episcopus et presbyter gradu tantum differunt, non ordine*,' and consequently, that in places where bishops cannot be had, the ordination by presbyters stands valid; but the ordination made by such presbyters as have severed themselves from those bishops to whom they have sworn canonical obedience, I cannot excuse from being schismatical. I think that churches that have no bishops are defective in their government, yet, for the justifying my communion with them (which I do love and honour as true members of the church universal), I do profess, if I were in Holland I should receive the blessed sacrament at the hands of the Dutch, with the like affection as I should from the hands of the French ministers were I at Charenton." The same most reverend prelate, in his answer to Mr. Baxter, says, "that the king having asked him at the Isle of White, whether he found in antiquity, that presbyters alone ordained any? he replied yes, and that he could shew his majesty more, even where presbyters alone successively ordained bishops, and instanced in Jerome's words,

2. The other branch of power annexed to the episcopal office, is the sole right of spiritual jurisdiction; this the bishop seems in some sort to disclaim: "Whoever (says he) challenged a sole jurisdiction? We willingly grant that presbyters have, and ought to have, jurisdiction within their own charge; and that in all great affairs of the church they ought to be consulted. We admit, that bishops of old had their ecclesiastical council of presbyters; and we still have the same in our deans and chapters; but we say that the superiority of jurisdiction is so in the bishop, that presbyters may not exercise it without him, and that the exercise of external jurisdiction is derived from, by, and under him, to those who exercise it within his diocese." This his lordship proves from several testimonies out of the fathers.

The Smectymnuans agree with his lordship, that in the ancient church, bishops could do nothing without the consent of the clergy; nor in cases of excommunication and absolution without the allowance of the whole body of the church to which the delinquent belonged, as appears from the testimonies of Tertullian and St. Cyprian; but they aver, upon their certain knowledge, that our English bishops have exercised several parts of ecclesiastical jurisdiction without their presbyters. And farther (say they), where, in all antiquity, do we meet with such delegates, as lay-chancellors, commissaries, and others as never received imposition of hands? These offices were not known in those times; nor can any instance be produced of laity or clergy who had them for above four hundred years after Christ.

Upon the whole, allowing that, in the third or fourth century, bishops were a distinct order from presbyters, yet, say these divines, our modern bishops of the church of England differ very widely from them; the primitive bishops were elected by a free suffrage of the presbyters, but ours by a *congé d'elire* from the king. They did not proceed against criminals but with the consent of their presbyters, and upon the testimony of several witnesses; whereas ours proceed by an oath *ex officio*, by which men

(*epist. ad Evagrium*) of the presbyters of Alexandria choosing and making their own bishops from the days of Mark, till Heraclius and Dionysius. *Baxter's Life*, p. 206.

This was the constant sense of our first reformers, Cranmer, Pilkington, Jewel, Grindal, Whitgift, &c. and even of Bancroft himself; for when Dr. Andrews, bishop of Ely, moved that the Scots bishops elect might first be ordained presbyters in the year 1610, Bancroft replied there was no need of it, since ordination by presbyters was valid; upon which the said bishop concurred in their consecration. And yet lower, when the archbishop of Spalato was in England, he desired bishop Moreton to re-ordain a person that had been ordained beyond sea, that he might be more capable of preferment; to which the bishop replied, that it could not be done, but to the scandal of the reformed churches, wherein he would have no hand. The same reverend prelate adds, in his *Apol. Cathol.* that to ordain was the *jus antiquum* of presbyters. To these may be added the testimony of bishop Burnet, whose words are these: "As for the notion of distinct offices of bishop and presbyter, I confess it is not so clear to me, and therefore, since I look upon the sacramental actions as the highest of sacred performances, I cannot but acknowledge those who are empowered for them must be of the highest office in the church." *Vindication of the Church of Scotland*, p. 336.



are obliged to accuse themselves; the primitive bishops had no lordly titles and dignities, no lay-chancellors, commissaries, and other officials, nor did they engage in secular affairs, &c. After several comparisons of this kind, they recapitulate the late severities of the bishops in their ecclesiastical courts; and conclude with an humble petition to the high court of parliament, "that if episcopacy be retained in the church it may be reduced to its primitive simplicity; and if they must have a liturgy, that there may be a consultation of divines to alter and reform the present; and that even then it may not be imposed upon the clergy, but left to the discretion of the minister, how much of it to read when there is a sermon."

By this representation it appears, that the controversy between these divines might have been compromised, if the rest of the clergy had been of the same spirit and temper with bishop Hall; but the court-bishops would abate nothing as long as the crown could support them; and as the parliament increased in power, the Puritan divines stiffened in their demands, till methods of accommodation were impracticable.

While this controversy was debating at home, letters were sent from both sides to obtain the judgment of foreign divines, but most of them were so wise as to be silent. Dr. Plume, in the life of bishop Hacket, writes that Blondel, Vossius, Hornbeck, and Salmasius, were sent to by the king's friends in vain; Blondel published a very learned treatise on the Puritan side; but Deodate from Geneva, and Amyraldus from France, wished an accommodation, and, as Plume says, were for episcopal government. The Papists triumphed, and had raised expectations from these differences, as appears by a letter of T. White, a Roman Catholic, to the lord-viscount Gage at Dublin, dated February 12, 1639, in which are these words: "We are in a fair way to assuage heresy and her episcopacy; for Exeter's book has done more for the Catholics, than they could have done themselves, he having written, that episcopacy in office and jurisdiction is absolutely *jure divino* (which was the old quarrel between our bishops and king Henry VIII. during his heresy), which book does not a little trouble our adversaries, who declare this tenet of Exeter's to be contrary to the laws of this land—All is like to prosper here, so I hope with you there\*." However, it is certain, the body of foreign Protestants were against the bishops, for this reason among others, because they had disowned their ordinations; and could it be supposed they should compliment away the validity of their administrations, to a set of men that had disowned their communion, and turned the French and Dutch congregations out of the land? No, they wished they might be humbled by the parliament. Lord Clarendon adds, "They were glad of an occasion to publish their resentments against the church, and to

\* Foxes and Firebrands, part 2. p. 81.



enter into the same conspiracy against the crown, without which they could have done little hurt."

But the cause of the hierarchy being to be decided at another tribunal, no applications were wanting on either side to make friends in the parliament-house, and to get hands to petitions. The industry of the several parties on this occasion is almost incredible; and it being the fashion of the time to judge of the sense of the nation this way, messengers were sent all over England to promote the work. Lord Clarendon, and after him Dr. Nalson and others of that party, complain of great dissingenuity on the side of the Puritans: his lordship says \*, "that the paper which contained the ministers' petition was filled with very few hands, but that many other sheets were annexed, for the reception of numbers that gave credit to the undertaking; but that when their names were subscribed, the petition itself was cut off, and a new one of a very different nature annexed to the long list of names; and when some of the ministers complained to the reverend Mr. Marshall, with whom the petition was lodged, that they never saw the petition to which their hands were annexed, but had signed another against the canons, Mr. Marshall is said to reply, that it was thought fit by those that understood business better than they, that the latter petition should be rather preferred than the former." This is a charge of a very high nature †, and ought to be well supported: if it had been true, why did they not complain to the committee which the house of commons appointed to inquire into the irregular methods of procuring hands to petitions? His lordship answers, that they were prevailed with to sit still and pass it by; for which we have only his lordship's word, nothing of this kind being to be found in Rushworth, Whitelocke, or any disinterested writer of those times.

However, it cannot be denied that there was a great deal of art and persuasion used to get hands to petitions on both sides, and many subscribed their names who were not capable to judge of the merits of the cause. The petitions against the hierarchy were of two sorts; some desiring that the whole fabric might be destroyed; of these the chief was the root and branch petition, signed by the hands of about fifteen thousand citizens and inhabitants of London; others aiming only at a reformation of the hierarchy; of these the chief was the ministers' petition, signed with the names of seven hundred beneficed clergymen, and followed by others with an incredible number of hands, from Kent, Gloucestershire, Lancashire, Nottingham, and other counties. The petitions

\* Clarendon, vol. 1. p. 204.

† This charge we have seen brought forward by Dr. Grey, to discredit what Mr. Neal had reported, concerning the number of petitions sent up from all parts of the country, against the clergy. When, as he proceeded in his review of Mr. Neal's history, he saw that our author had himself laid before his readers this charge of lord Clarendon's, it would have been candid in him to have cancelled his own strictures on this point, or to have exposed the futility of Mr. Neal's reply to his lordship.—Ed.

we your humble supplicants, as in duty bound, shall ever pray, &c."

The schedule annexed to the petition contained twenty-eight grievances and pressures, the chief of which were, the bishops suspending and depriving ministers for nonconformity to certain rites and ceremonies; their discountenancing preaching; their claim of *jus divinum*; their administering the oath *ex officio*; the exorbitant power of the high-commission, with the other innovations already mentioned.

The friends of the establishment opposed this petition, with one of their own in favour of the hierarchy, in the following words:

"To the honourable the knights, citizens, &c. the petition of, &c. humbly sheweth,

"That whereas of late, a petition subscribed by many who pretend to be inhabitants of this city, hath been delivered, received, and read, in this honourable house, against the ancient, present, and by law established, government of the church; and that not so much for the reformation of bishops, as for the utter subversion and extirpation of episcopacy itself; we whose names are underwritten, to shew there be many, and those of the better sort of the inhabitants of this city, otherwise and better minded, do humbly represent unto this honourable house, these considerations following:

1. "That episcopacy is as ancient as Christianity itself in this kingdom.

2. "That bishops were the chief instruments in the reformation of the church against Popery, and afterward the most eminent martyrs for the Protestant religion, and since, the best and ablest champions for the defence of it.

3. "That since the Reformation the times have been very peaceable, happy, and glorious, notwithstanding the episcopal government in the church, and therefore that this government can be no cause of our unhappiness.

4. "We conceive that not only many learned, but divers other godly persons would be much scandalised and troubled in conscience if the government of episcopacy, conceived by them to be an apostolical institution, were altered; and since there is so much care taken, that no man should be offended in the least ceremony, we hope there will be some, that such men's consciences may not be pressed upon in a matter of a higher nature and consequence, especially considering that this government by episcopacy is not only lawful and convenient for edification, but likewise suitable to, and agreeable with, the civil policy and government of this state.

5. "That this government is lawful, it appears by the immediate, universal, and constant, practice of all the Christian world, grounded upon Scripture, from the apostle's time to this last age, for above fifteen hundred years together, it being utterly incredible, if not impossible, that the whole church, for so long a time, should



not discover, by God's word, this government to be unlawful, if it had been so; to which may be added, that the most learned Protestants, even in those very churches which now are not governed by bishops, do not only hold the government by episcopacy to be lawful, but wish that they themselves might enjoy it.

"Again, That the government by episcopacy is not only lawful, but convenient for edification, and as much or more conducing to piety and devotion than any other, it appears, because no modest man denies that the primitive times were most famous for piety, constancy, and perseverance in the faith, notwithstanding more frequent and more cruel persecutions than ever have been since, and yet it is confessed that the church in those times was governed by bishops.

"Lastly, That the government of the church by episcopacy is most suitable to the form and frame of the civil government here in this kingdom, it appears by the happy and flourishing union of them both for so long a time together; whereas no man can give us an assurance how any church-government besides this (whereof we have had so long experience) will suit and agree with the civil policy of this state. And we conceive it may be of dangerous consequence for men of settled fortunes, to hazard their estates, by making so great an alteration, and venturing upon a new form of government, whereof neither we nor our ancestors have had any trial or experience, especially considering that those who would have episcopacy to be abolished, have not yet agreed, nor (as we are verily persuaded) ever will or can agree upon any other common form of government to succeed in the room of it; as appears by the many different and contrary draughts and platforms they have made and published, according to the several humours and sects of those that made them; whereas, seeing every great alteration in a church or state must needs be dangerous, it is just and reasonable, that whosoever would introduce a new form instead of an old one, should be obliged to demonstrate and make it evidently appear beforehand, that the government he would introduce is proportionably so much better than that he would abolish, as may recompense the loss we may sustain, and may be worthy of the hazard we must run in abolishing the one, and introducing and settling of the other; but this we are confident can never be done, in regard of this particular.

"And therefore our humble and earnest request to this honourable house, is, that as well in this consideration, as all the other aforesaid, we may still enjoy that government which most probably holds its institution from the apostles, and most certainly its plantation with our Christian faith itself in this kingdom, where it hath ever since flourished, and continued for many ages without any interruption or alteration; whereby it plainly appears, that as it is the most excellent government in itself, so it is the most suitable, most agreeable, and every way most proportionable, to the civil constitution and temper of this state; and therefore we

pray and hope, will always be continued and preserved in it and by it, notwithstanding the abuses and corruptions which in so long a tract of time, through the errors or negligence of men, have crept into it; which abuses and corruptions being all of them (what and how many soever there may be) but merely accidental to episcopacy, we conceive and hope there may be a reformation of the one, without a destruction of the other.

“Which is the humble suit of, &c. &c.”

A third petition was presented to the house, January 23, by ten or twelve clergymen, in the name of seven hundred of their brethren who had signed it, called the ministers' petition, praying for a reformation of certain grievances in the hierarchy, but not an entire subversion of it; a schedule of these grievances was annexed, which being referred to the committee, Mr. Crew reported the three following, as proper for the debate of the house: “1. The secular employments of the clergy. 2. The sole power of the bishops in ecclesiastical affairs, and particularly in ordinations and church-censures. 3. The large revenues of deans and chapters, with the inconveniences that attend the application of them.”

Two days after the delivery of this petition [January 25] his majesty came to the house, and very unadvisedly interrupted their debates by the following speech: “—There are some men that more maliciously than ignorantly will put no difference between reformation and alteration of government; hence it comes to pass, that divine service is irreverently interrupted, and petitions in an ill way given in, neither disputed nor denied, against the present established government, in the names of divers counties, with threatenings against the bishops, that they will make them but ciphers. Now I must tell you, that I make a great difference between reformation and alteration of government; though I am for the first, I cannot give way to the latter. If some of them have overstretched their power, and encroached too much on their temporality, I shall not be unwilling that these things should be redressed and reformed; nay farther, if you can shew me, that the bishops have some temporal authority inconvenient for the state, and not necessary for the government of the church and upholding episcopal jurisdiction, I shall not be unwilling to desire them to lay it down; but this must not be understood that I shall any ways consent that their voices in parliament should be taken away, for in all the times of my predecessors, since the Conquest and before, they have enjoyed it as one of the fundamental constitutions of the kingdom.” This unhappy method of the king's coming to the house, and declaring his resolutions beforehand, was certainly unparliamentary, and did the church no service; nor was there any occasion for it at this time, the house being in no disposition as yet, to order a bill to be brought in for subverting the hierarchy.

In the months of February and March, several days were appointed for the consideration of these petitions; and when the bill



for the utter extirpating the episcopal order was brought into the house in the months of May and June, several warm speeches were made on both sides; I will set the chief of them before the reader at one view, though they were spoken at different times.

Among those who were for root and branch, or the total extirpating of episcopacy, was sir Henry Vane, who stood up and argued, that "since the house had voted episcopal government a great impediment to the reformation and growth of religion, it ought to be taken away, for it is so corrupt in the foundation (says he) that if we pull it not down, it will fall about the ears of those that endeavour it within a few years. This government was brought in by antichrist, and has let in all kinds of superstition in the church—It has been the instrument of displacing the most godly and conscientious ministers, of vexing, punishing, and banishing out of the kingdom, the most religious of all sorts and conditions, that would not comply with their superstitious inventions and ceremonies. In a word, it has turned the edge of the government against the very life and power of godliness, and the favour and protection of it towards all profane, scandalous, and superstitious persons that would uphold their party—It has divided us from the foreign Protestant churches, and has done what it could to bind the nation in perpetual slavery to themselves and their superstitious inventions, by the late canons.—Farther, this government has been no less prejudicial to the civil liberties of our country, as appears by the bishops preaching up the doctrine of arbitrary power, by their encouraging the late illegal projects to raise money without parliament, by their kindling a war between England and Scotland, and falling in with the plots and combinations that have been entered into against this present parliament." Sir Harry concludes from these premises, "that the Protestant religion must always be in danger, as long as it is in the hands of such governors; nor can there be any hopes of reformation in the state, while the bishops have votes in parliament; that the fruit being so bad the tree must be bad. Let us not then halt between two opinions (says he), but with one heart and voice give glory to God, by complying with his providence, and with the safety and peace of the church and state, which is by passing the root and branch bill\*."

Mr. serjeant Thomas gave the house a long historical narration of the viciousness and misbehaviour of the bishops in the times of Popery; of their treasonable and rebellious conduct towards their sovereigns; of their antipathy to the laws and liberties of their country; of their ignorance, pride, and addictedness to the pomp of this world, to the apparent neglect of their spiritual functions; and of their enmity to all methods of reformation to this day †.

Mr. Bagshaw stood up to reply to the objections made against abolishing the order of bishops.

\* Nalson's Collections, vol. 2. p. 276.

† Ibid. vol. 2. p. 211.

"It is asserted (says he) that it is of divine right, which is contrary to the statute 37 of Henry VIII. cap. 17, which says, they have their episcopal authority and all other ecclesiastical jurisdiction whatsoever, solely and only, by, from, and under the king.

"It is argued, that episcopacy is inseparable from the crown, and therefore it is commonly said, No bishop no king; which is very ridiculous, because the kings of England were long before bishops, and may still depose them.

"It is said, that episcopacy is a third state in parliament; but this I deny, for the three states are the king, the lords temporal, and the commons. Kings of England have held several parliaments without bishops; king Edward I. in the 24th of his reign, held a parliament *excluso clero*; and in the parliament of the 7th Richard II. there is mention made of the consent of the lords temporal and the commons, but not a word of the clergy; since therefore the present hierarchy was of mere human institution, and had been found a very great grievance to the subject, he inclined to the root and branch petition."

Mr. White entered more fully into the merits of the cause, and considered the present bishops of the church with regard to their baronies, their temporalities, and their spiritualities.

"The former (says he) are merely of the king's favour, and began in this kingdom the 4th of William the Conqueror, by virtue whereof they have had place in the house of peers in parliament; but in the 7th Henry VIII. (1546, Kel.) it was resolved by all the judges of England, that the king may hold his parliament by himself, his temporal lords, and commons, without any bishop; for a bishop has not any place in parliament by reason of his spiritualities, but merely by reason of his barony, and accordingly acts of parliament have been made without them, as 2 Richard II. cap. 3, and at other times; nor were they ever called spiritual lords in our statutes, till 16 Richard II. cap. 1.

"By the bishop's spiritualities I mean, those spiritual powers which raise him above the order of a presbyter; and here I consider, first, his authority over presbyters by the oath of canonical obedience, by which he may command them to collect tenths granted in convocation, according to 20 Henry VI. cap. 13. Secondly, his office, which is partly judicial and partly ministerial; by the former, he judges in his courts of all matters ecclesiastical and spiritual within his diocese, and of the fitness of such as are presented to him to be instituted into benefices; by the latter he is to consecrate places dedicated to divine service. 9 Henry VI. cap. 17, he is to provide for the officiating of cures in the avoidance of churches, on neglect of the patron's presenting thereunto. He is to certify loyal [or lawful] matrimony, general bastardy, and excommunication. He is to execute judgments given in *quare impedit*, upon the writ *ad admittendum clericum*. He is to attend upon trials for life, to report the sufficiency or insufficiency of such as demand clergy; and lastly, he is to ordain deacons and presbyters.



and those of our religion beyond sea ; an action both impolitic and ungodly \*.

“ They have been less eager on those who damn our church, than on those who, on weak conscience and perhaps as weak reason, only abstain from it. Nay, it has been more dangerous for men to go to a neighbouring parish when they had no sermon in their own, than to be obstinate and perpetual recusants. While mass has been said in security, a conventicle has been a crime ; and which is yet more, the conforming to ceremonies has been more exacted than the conforming to Christianity ; and while men for scruples have been undone, for attempts of sodomy they have only been admonished.

“ Mr. Speaker, they have resembled the dog in the fable, they have neither practised themselves, nor employed those that should, nor suffered those that would. They have brought in catechising only to thrust out preaching ; cried down lectures by the name of faction, either because other men’s industry in that duty appeared a reproof to their neglect, or with intent to have brought in darkness, that they might the easier sow their tares while it was night.

“ In this they have abused his majesty as well as his people, for when he had with great wisdom silenced on both parts those opinions, that will always trouble the schools, they made use of this declaration to tie up one side and let the other loose. The truth is, Mr. Speaker, as some ministers in our state first took away our money, and afterward endeavoured to make our money not worth taking, by depraving it : so these men first depressed the power of preaching, and then laboured to make it such, as the harm had not been much if it had been depressed ; the chief subjects of the sermons being, the *jus divinum* of bishops and tithes ; the sacredness of the clergy ; the sacrilege of impropriations ; the demolishing of Puritanism ; the building up of the prerogative, &c. In short, their work has been to try how much of the Papist might be brought in without Popery, and to destroy as much as they could of the gospel, without bringing themselves in danger of being destroyed by the law.

Mr. Speaker, these men have been betrayers of our rights and liberties, by encouraging such men as Dr. Beal and Manwaring ; by appearing for monopolies and ship money ; some of them have laboured to exclude all persons and causes of the clergy from the temporal magistrate, and by hindering prohibitions, to have taken away the only legal bounds to their arbitrary power ; they have encouraged all the clergy to suits, and have brought all suits to the council-table, that, having all power in ecclesiastical matters, they might have an equal power in temporals ; they have both kindled and blown the common fire of both nations, and have been the first and principal cause of the breach since the pacification at Berwick.

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\* Rushworth, vol. 4. p. 184. or part 3. vol. 1.

"Mr. Speaker, I have represented no small quantity, and no mean degree of guilt, but this charge does not lie against episcopacy, but against the persons who have abused that sacred function; for if we consider, that the first spreaders of Christianity, the first defenders of it, both with their ink and blood, as well as our late reformers, were all bishops; and even now, in this great defection of the order, there are some that have been neither proud nor ambitious; some that have been learned opposers of Popery, and zealous suppressers of Arminianism, between whom and their inferior clergy there has been no distinction in frequent preaching; whose lives are untouched, not only by guilt, but by malice; I say if we consider this, we shall conclude, that bishops may be good men, and let us but give good men good rules, and we shall have good government and good times.

"I am content to take away from them all those things which may, in any degree of possibility, occasion the like mischiefs with those I have mentioned: I am sure neither their lordships, judging of tithes, wills, and marriages, no, nor their voices in parliament, are *jure divino*. If their revenues are too great, let us leave them only such proportion as may serve, in some degree, for the support of the dignity of learning and encouragement of students. If it be found they will employ their laws against their weaker brethren, let us take away those laws, and let no ceremonies which any number count unlawful, and no man counts necessary, be imposed upon them; but let us not abolish, upon a few days' debate, an order that has lasted in most churches these sixteen hundred years. I do not believe the order of bishops to be *jure divino*, nor do I think them unlawful; but since all great changes in government are dangerous, I am for trying if we cannot take away the inconveniences of bishops, and the inconveniences of no bishops. Let us therefore go upon the debate of grievances, and if the grievances may be taken away and the order stand, we shall not need to commit the London petition at all; but if it shall appear that the abolition of the one cannot be but by the destruction of the other, then let us not commit the London petition, but grant it."

Lord George Digby, an eminent royalist, spoke with great warmth against the root and branch petition, and with no less zeal for a reformation of grievances.

"If the London petition (says his lordship) may be considered only as an index of grievances, I should wink at the faults of it, for no man within these walls is more sensible of the heavy grievances of church-government than myself; nor whose affections are keener for the clipping those wings of the prelates, whereby they have mounted to such insolence; but having reason to believe that some aim at the total extirpation of bishops, I cannot restrain myself from labouring to divert it.

I look upon the petition with terror, as on a comet or a blazing star, raised and kindled out of the poisonous exhalations of a



corrupted hierarchy : methought the comet had a terrible tail, and pointed to the north ; and I fear all the prudence of this house will have a hard work to hinder this meteor from causing such distempers and combustions as it portends by its appearance ; whatever the event be, I shall discharge my conscience freely, unbiassed both from popularity and court-respect\*."

His lordship then goes on to argue the unreasonableness of abolishing a thing, because of some abuses that attend it ; he complains of the presumption of the petitioners, in desiring the repeal of so many laws at once, and not applying in a more modest manner for a redress of grievances, as the ministers have done. On the other hand, he allows the behaviour of the prelates had given too just an occasion for it ; that no people had been so insulted as the people of England had lately been, by the insolences of the prelates ; " their vengeance has been so laid, as if it were meant no generation, no degree, no complexion of mankind, should escape it. Was there a man of tender conscience (says his lordship), him they loaded with unnecessary impositions ; was there a man of legal conscience, him they nettled with innovations, and fresh introductions to Popery ; was there a man of an humble spirit, him they trampled to dirt in their pride ; was there a man of proud spirit, him they have bereft of reason, with indignation at their superlative insolence ; was there a man faithfully attached to the rights of the crown, how has he been galled by their new oath ! was there a man that durst mutter against their insolences, he may inquire for his lugs. They have been within the bishops' visitation as if they would not only derive their brandishment of the spiritual sword from St. Peter, but of the material one too, and the right to cut off ears ; for my part I am so inflamed with these things, that I am ready to cry, with the loudest of the fifteen thousand, Down with them to the ground.

" But, Mr. Speaker, we must divest ourselves of passion : we all agree a reformation of church-government is necessary ; but before I can strike at the root, and agree to a total extirpation of episcopacy, it must be made manifest to me, (1.) That the mischiefs we have felt arise from the nature of episcopacy, and not from its abuse. (2.) Such a form of government must be set before us as is not liable to proportionable inconveniences. (3.) It must appear that the Utopia is practicable. Let us therefore lay aside the thoughts of extirpating bishops, and reduce them to their primitive standard ; let us retrench their diocesses ; let them govern by assemblies of their clergy ; let us exclude them from intermeddling in secular affairs, and appoint a standing committee to collect all the grievances of the church, and no man's votes shall be given with more zeal for redressing them than mine."

Surely the bishops must have behaved very ill in the late times, that their very best friends could load them with such re-

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\* Rushworth, p. 172.

proaches! Sir Benjamin Rudyard, surveyor of the court of wards, sir Harbottle Grimstone, with a great many others of unquestionable duty and loyalty to the king, spoke the same language, and it deserves to be remembered, says lord Clarendon \*, that in the midst of these complaints the king was never mentioned but with great honour; all the grievances being laid at the door of his ministers, and all hopes of redress being placed in his majesty alone. At the close of the debate, it was ordered that the root and branch petition should remain in the hands of the clerk of the house of commons, with direction that no copy should be delivered out; but after the throwing out of the bill to deprive the bishops of their votes in parliament, it was revived, and a bill brought in by sir Edward Deering [May 20, 1641] for the utter extirpating of the whole order, as will be seen hereafter.

It was in this debate that some smart repartees passed between the members; Mr. Grimstone argued thus, that bishops are *jure divino* is a question: that archbishops are not *jure divino* is out of question; now that bishops which are questioned whether *jure divino*, or archbishops which out of question are not *jure divino*, should suspend ministers which are *jure divino*, I leave to you to be considered. To which Mr. Selden answered, that the convocation is *jure divino* is a question; that parliaments are not *jure divino* is out of the question; that religion is *jure divino* is no question; now that the convocation which is questionable whether *jure divino*, and parliaments which out of the question are not *jure divino*, should meddle with religion which questionless is *jure divino* I leave to your consideration. In both which I apprehend there is more of a jingle of words than strength of argument †.

But the house was unanimous for a reformation of the hierarchy, which was all that the body of the Puritans as yet wished for or desired. The ministers' petition was therefore committed to a committee of the whole house, and on March 9, they came to this resolution, "that the legislative and judicial power of bishops in the house of peers is a great hinderance to the discharge of their spiritual function, prejudicial to the commonwealth, and fit to be taken away by bill; and that a bill be drawn up to this purpose." March 11, it was resolved farther, "that for bishops or any other clergyman to be in the commission of peace, or to have any judicial power in the star-chamber or in any civil court, is a great hinderance to their spiritual function, and fit to be taken away by bill." And not many days after it was resolved, that they should not be privy-councillors or in any temporal offices.

While the house of commons were thus preparing to clip the wings of the bishops, they were not unmindful of the Roman Catholics; these were criminals of a higher nature, and had a deep share in the present calamities; their numbers were growing, and their pride and insolence insufferable: they flocked in great num-

\* Clarendon, vol. 1. p. 203.

† Selden's argument is considered by bishop Warburton, as a thorough confutation of Grimstone's.—ED.



bers about the court, and insulted the very courts of judicature; the queen protected them, and the king and archbishop countenanced them as friends of the prerogative. Andreas ab Harbensfield, the queen of Bohemia's chaplain, advised his grace of a Popish confederacy against the king and the church of England; but when the names of Montague, sir Kenelm Digby, Winter, Windebank, and Porter, all Papists, and officers about the court, were mentioned as parties, the whole was discredited and stifled. When the house of commons petitioned the king to issue out a proclamation for putting the laws in execution against Papists, it was done in so defective a manner, that the committee reported it would avail nothing; for in the clause which enjoins all Popish recusants to depart the city in fifteen days, it is added, "without special licence had thereunto;" so that if they could obtain a licence from his majesty, or from the lords of the council, the bishop, the lieutenant, or deputy-lieutenant, of the county, then they were not within the penalty. Besides, the disarming of all Popish recusants was limited to recusants convicted; so that if they were not convicted, a justice of peace could not disarm them. They observed farther, that many recusants had letters of grace to protect their persons and estates; that instead of departing from London there was a greater resort of Papists at present than heretofore; and that their insolence and threatening language were insufferable and dangerous. A gentleman having given information in open court to one of the judges of the King's-bench, that in one parish in the city of Westminster there were above six thousand recusants, the committee appointed Mr. Heywood, an active justice of peace, to collect and bring in a list of the names of all recusants within that city and liberties; for which purpose all the inhabitants were summoned to appear and take the oaths in Westminster-hall: but while the justice was in the execution of his office, and pressing one James a Papist to take them, the wretch drew out his knife and stabbed the justice in the open court, telling him, "he gave him that for persecuting poor Catholics." The old gentleman sunk down with the wound, but by the care of the surgeons was recovered, and the criminal taken into custody \*. This Mr. Heywood was the very person who, being commanded by king James I. to search the cellars under the parliament-house at the time of the gunpowder-plot, took Guy Faux with his dark lantern in his hand, which lantern is preserved among the archives of Oxford, with Mr. Heywood's name upon it in letters of gold.

\* Dr. Grey is displeased with Mr. Neal for not informing his reader, how the king acted on this occasion; especially as he says, according to the first edition, "the king favours them," i. e. the Papists. This is the marginal contents of the following paragraph, and the fact is there fully established. With respect to the attempt made on the life of Mr. Heywood, his majesty, it should be acknowledged, expressed a proper abhorrence of it, and "recommended it to parliament, to take course for a speedy and exemplary punishment" of it. For which the house returned their humble thanks. But this instance of royal justice is not sufficient to wipe off the charge of general and great partiality towards the Catholics. Rushworth's Collections, part 3. vol. 1. p. 57.—Ed.

The parliament, alarmed at this daring attempt, sent orders to all the justices of peace of Westminster, London, and Middlesex, requiring them to command the churchwardens to make a return of the names of all recusants within their parishes, in order to their being proceeded against according to law; a few days after the like orders were sent to the justices in the remoter counties. The houses petitioned his majesty to discharge all Popish officers in garrisons or in the army, who refused to take the oaths of allegiance and supremacy, and to fill up their places with Protestants. March 16, they petitioned his majesty to remove all Papists from court, and particularly sir Kenelm Digby, sir Toby Matthews, sir John Winter, and Mr. Montague, and that the whole body of Roman Catholics might be disarmed. The answer returned was, that his majesty would take care that the Papists about the court should give no just cause of scandal; and as for disarming them, he was content it should be done according to law. So that their addresses had no other effect than to exasperate the Papists, the king and queen being determined to protect them as long as they were able.

There was at this time one Goodman a seminary priest under condemnation in Newgate, whom the king, instead of leaving to the sentence of the law, reprieved in the face of his parliament; whereupon both houses [January 29, 1640] agreed upon the following remonstrance:

"That considering the present juncture, they conceived the strict execution of the laws against recusants more necessary than formerly,

1. "Because by divers petitions from several parts of the kingdom, complaints are made of the great increase of Popery and superstition; priests and Jesuits swarm in great abundance in this kingdom, and appear as boldly as if there were no laws against them.

2. "It appears to the house, that of late years many priests and Jesuits condemned for high treason have been discharged out of prison.

3. "That at this time the pope has a nuncio or agent in this city; and Papists go as publicly to mass at Denmark-house, and at St. James's and the ambassadors' chapels, as others do to their parish-churches.

4. "That the putting the laws in execution against Papists, is for the preservation and advancement of the true religion established in this kingdom; for the safety of their majesties' persons, and the security of government.

5. "It is found that Goodman the priest has been twice formerly committed and discharged; that his residence now in London was in absolute contempt of his majesty's proclamation; that he was formerly a minister of the church of England; and therefore they humbly desire he may be left to the justice of the law."



To this remonstrance the king replied,

"That the increase of Popery and superstition, if any such thing had happened, was contrary to his inclination; but to take off all occasions of complaint he would order the laws to be put in execution.

"That he would set forth a proclamation to command Jesuits and priests to depart the kingdom within a month; and in case they either failed or returned, they should be proceeded against according to law.

"As touching the pope's nuncio Rosetti, his commission reached only to keep up a correspondence between the queen and pope, in things relative to the exercise of religion; that this correspondence came within the compass of the full liberty of conscience secured her by the articles of marriage; however, since Rosetti's character happened to be misunderstood and gave offence, he had persuaded the queen to consent to his being recalled.

"Farther, his majesty promised to take care to restrain his subjects from going to mass at Denmark-house, St. James's, and the chapels of the ambassadors.

"Lastly, touching Goodman, he was content to remit him to the pleasure of the house; but he puts them in mind that neither queen Elizabeth nor king James ever put any to death merely for religion; and desired them to consider the inconveniences that such a conduct might draw upon his subjects and other Protestants in foreign countries."

How strange this assertion! Let the reader recollect the many executions of Papists for denying the supremacy; the burning the Dutch Anabaptists, for whom Mr. Fox the martyrologist interceded in vain; and the hanging of Barrow, Greenwood, Penry, &c. in the reign of queen Elizabeth; let him also remember the burning of Bartholomew Legate and Edward Wightman, for the Arian heresy by king James I. (of all which, and some others, the commons in their reply put his majesty in mind); and then judge of the truth of this part of his declaration. Nor did the Jesuits regard the other parts of it, for they knew they had a friend in the king's bosom that would protect them, and therefore, instead of removing out of the land, they lay concealed within the verge of the court. Even Goodman himself was not executed\*, though the king promised to leave him to the law, and

\* Whitelocke informs us, that the king left him to the parliament: "and they (says bishop Warburton) would not order his execution. The truth of the matter was this; each party was desirous of throwing the odium of Goodman's execution on the other; so between both the man escaped." On this ground, his lordship exclaims, "How prejudiced is the representation of our historian!" In reply to this reflection, it may be asked, Did it not shew the king's partiality and reluctance to have the law executed against Goodman, that he remitted the matter to the house? Did not the inflicting the sentence of the law lie solely with himself, as invested with the executive power? and yet he did not inflict it. Doth not this conduct justify Mr. Neal's representation? nay, that representation is just and candid if it pointed to the reprieve only, which produced the remonstrance of the

though he himself petitioned, like Jonah the prophet, to be thrown overboard to allay the tempest between the king and his subjects. Such was his majesty's attachment to this people ! to the apparent hazard of the Protestant religion and the peace of his kingdoms, and to the sacrificing all good correspondence between himself and his parliament.

## CHAPTER IX.

FROM THE IMPEACHMENT OF THE EARL OF STRAFFORD, TO  
THE RECESS OF THE PARLIAMENT UPON THE KING'S PRO-  
GRESS IN SCOTLAND.

It is impossible to account for the prodigious changes of this and the years immediately succeeding, without taking a short view of some civil occurrences that paved the way for them. In pursuance of the design of bringing corrupt ministers to justice, the parliament began with Thomas Wentworth earl of Strafford, an able statesman, but a most dangerous enemy of the laws and liberties of his country, whom they impeached of high treason November 11, 1640, and brought to his trial the 22nd of March following. The grand article of his impeachment\* was, "for endeavouring to subvert the fundamental laws of England and Ireland, and to introduce an arbitrary and tyrannical government." This was subdivided into several branches, supported by a multiplicity of facts, none of which were directly treason by law, but being put together were construed to be such by accumulation. The earl's reply to the facts consisted partly in excuses and evasions; with an humble acknowledgment that in some things he had been mistaken; but his principal defence rested upon a point of law, "Whether an endeavour to subvert the fundamental form of government, and the laws of the land, was high treason at common law, or by any statute in force?" Mr. Lane the counsel

parliament. There would not have been any occasion for that remonstrance, had it not been for his majesty's attachment to men of that description.

The advocates of the king have considered his conduct towards Goodman as an amiable act of humanity; nay, as proceeding from a mind most sensibly touched with the "gallantry," as it is called, of this man in petitioning to be made a sacrifice to the justice of the law, to serve his majesty's interest and affairs. Dr. Grey, and Nalson's Collections, vol. 1. p. 746.—Ed.

\* When the earl of Strafford was impeached, the king came into the house of lords, and desired that the articles against him might be read; which the lord-keeper ordered to be done, while many lords cried out, Privilege! privilege! When the king was departed, the house ordered that no entry should be made of the king's demand of hearing the articles read, or of the keeper's compliance with it.—A MS. memorandum of Dr. Birch in the British Museum, and quoted in Curiosities of Literature, vol. 2. p. 186.—Ed.



for the prisoner maintained, (1.) That all treasons were to be reduced to the particulars specified in the 25th Edw. III. cap. 2. (2.) That nothing else was or could be treason; and that it was so enacted by the 1st Henry IV. cap. 10. (3.) That there had been no precedent to the contrary since that time. And (4.) That by 1 Mary, cap. 12, an endeavour to subvert the fundamental laws of the land is declared to be no more than felony.

The commons felt the weight of these arguments; and not being willing to enter into debate with a private barrister, changed their impeachment into a bill of attainder, which they had a right to do by virtue of a clause in the 25th Edw. III. cap. 2 \*, which refers the decision of what is treason in all doubtful cases to the king and parliament †. The attainder passed the commons April 19, yeas two hundred and four, noes fifty-nine; but it is thought would have been lost in the house of lords had it not been for the following accident, which put it out of the power of the earl's friends to save him.

The king, being weary of his parliament and desirous to protect his servant, consented to a project of some persons in the greatest trust about the court, to bring the army that was raised against the Scots up to London, in order to awe the two houses, to rescue the earl, and to take possession of the city of London. Lord Clarendon says ‡, the last motion was rejected with abhorrence, and that the gentleman who made it was the person that discovered the whole plot. The conspirators met in the queen's lodgings at Whitehall, where a petition was drawn up for the officers of the army to sign, and to present to his majesty; with a tender of their readiness to wait upon him in defence of his prerogative against the turbulent spirits of the house of commons; the draught was shewn to the king, and signed, "in testimony of his majesty's approbation, C. R." but the plot being discovered to

\* The words of the statute are,

"And because that many other like cases of treason may happen in time to come, which a man cannot think or declare at this present time, it is accorded that if any other case, supposed treason, which is not above specified, doth happen before any justice, the justices shall tarry without any going to judgment of the treason till the cause be shewed and declared before the king and his parliament, whether it ought to be judged treason or felony."

† The bill of attainder against the earl of Strafford being formed on this principle and authority, there was a great propriety in the following clause of it: viz. "That no judge or judges, justice or justices whatsoever, shall adjudge or interpret any act or thing to be treason, nor hear or determine treason, in any other manner than he or they should or ought to have done before the passing of this act." This clause has been considered as a reflection on the bill itself, and as an acknowledgment, that the case was too hard and the proceedings too irregular to be drawn into a precedent. But this is a misconstruction of the clause, which did not intimate any consciousness of wrong in those who passed it; but was meant to preserve to parliament the right, in future, which is exercised in this instance, of determining what is treason in all doubtful cases; and was intended to restrain the operation of the bill to this single case. It shewed, observes Mrs. Macaulay, a very laudable attention to the preservation of public liberty. Macaulay's History, vol. 2. 8vo, p. 444, note (†), and Dr. Harris's Life of Charles I. p. 324, 325.—Ed.

‡ Clarendon, vol. 1. p. 248.

the earl of Bedford, to the lords Say and Kimbolton, and to Mr. Pym, with the names of the conspirators; all of them absconded, and some fled immediately into France.

Mr. Pym opened the conspiracy to the house of commons May 2, 1641\*, and acquainted them, that among other branches of the plot, one was to seize the Tower, to put the earl of Strafford at the head of the Irish army of Papists who were to be transported into England, and to secure the important town of Portsmouth, in order to receive succours from France; sir William Balfour, lieutenant of the Tower, confessed that the king had sent him express orders to receive a hundred men into that garrison under the command of captain Billingsly, to favour the earl's escape; and that the earl himself offered him 20,000*l.* in money, and to advance his son in marriage to one of the best fortunes in the kingdom. Lord Clarendon has used all his rhetoric to cover over this conspiracy, and to make posterity believe it was little more than the idle chat of some officers at a tavern; but they who will compare the depositions in Rushworth, with his lordship's account of that matter, says bishop Burnet, will find, that there is a great deal more in the one, than the other is willing to believe†. Mr. Echard confesses that the plot was not wholly without foundation. The court would have disowned it, but their keeping the conspirators in their places, made the parliament believe that there was a great deal more in it than was yet discovered; they therefore sent orders immediately to secure the town and haven of Portsmouth, and to disband the Irish army; they voted that all Papists should be removed from about the court; and directed letters to sir Jacob Ashley, to induce the army to a dutiful behaviour, and to assure them of their full pay.

The consequences of this plot were infinitely prejudicial to the king's affairs; the court lost its reputation; the reverence due to the king and queen was lessened; and the house of commons began to be esteemed the only barrier of the people's liberties; for which purpose they entered into a solemn protestation to stand by each other with their lives and fortunes; the Scots army was continued for their security; a bill for the continuance of the present parliament was brought in and urged with great advantage; and last of all, by the discovery of this plot the fate of the earl of Strafford was determined; great numbers of people crowded in a tumultuous manner to Westminster, crying, Justice! justice! and threatening violence to those members of the house of commons who had voted against his attainder. In this situation of affairs, and in the absence of the bench of bishops (as being a case of blood), the bill passed with the dissent only of eleven peers. The king had some scruples about giving it the royal assent, because, though he was convinced the earl had been guilty of "high crimes and

\* Rapin, vol. 2. p. 369. folio.

† May's Hist. p. 97—99. Rushworth, part 3. vol. 1. p. 291.



misdemeanours," he did not apprehend that an "endeavour to subvert the fundamental form of government, and to introduce an arbitrary power, was high treason;" his majesty consulted his bishops and judges, but was not satisfied till he received a letter from the earl himself, beseeching his majesty to sign the bill, in order to make way for a happy agreement between him and his subjects. Mr. Whitelocke insinuates\*, that this letter was but a feint of the earl's; for when secretary Carlton acquainted him with what the king had done, and with the motive, which was his own consent, he rose up in a great surprise, and lifting up his eyes to heaven, said, "Put not your trust in princes, nor in the sons of men, for in them there is no salvation." Two days after this [May 12,] he was executed upon Tower-hill, and submitted to the axe with a Roman bravery and courage; but at the restoration of king Charles II. his attainder was reversed, and the articles of accumulative treason declared null, because what is not treason in the several parts cannot amount to treason in the whole†.

This was the unhappy fate of Thomas Wentworth, earl of Strafford, once an eminent patriot and assertor of the liberties of his country, but after he was called to court one of the most arbitrary ministers that this nation ever produced. He was certainly a gentleman of distinguished abilities, as appears by the incomparable defence he made on his trial, which gained him more reputation and esteem with the people, than all the latter actions of his life put together; but still he was a public enemy of his country, and had as great a share in those fatal counsels that brought on the civil war as any man then living. "The earl (says Mr. Echard) was of a severe countenance, insufferably proud and haughty, having a sovereign contempt of the people, whom he never studied to gratify in any thing; the ancient nobility looked upon his sudden rise, and universal influence in public affairs, with envy; so that he had but few friends, and a great many enemies."

Lord Digby, in his famous speech against the bill of attainder, wherein he washes his hands of the blood of the earl of Strafford, has nevertheless these expressions; "I confidently believe him the most dangerous minister, and the most insupportable to free subjects, that can be charactered. I believe his practices in themselves have been as high and tyrannical as any subject ever ventured upon; and the malignity of them is greatly aggravated by those abilities of his, whereof God has given him the use, but the devil the application. In a word, I believe him still that grand apostate to the commonwealth, who must not expect to be pardoned in this world, till he be dispatched to the other."

Lord Falkland says, "that he committed so many mighty and so manifest enormities and oppressions in the kingdom of Ireland,

\* Memorials, p. 44.

† Nalson's Collections, vol. 2. p. 203.

that the like have not been committed by any governor in any government since Verres left Sicily; and after his lordship was called over from being deputy of Ireland, to be in a manner deputy of England, he and the juncitillo gave such counsels and pursued such courses as it is hard to say, whether they were more unwise, more unjust, or more unfortunate."

Lord Clarendon says\*, "that he had been compelled, for reasons of state, to exercise many acts of power, and had indulged some to his own appetite and passion, as in the case of the lord-chancellor of Ireland, and the lord Mount Norris, the former of which was *satis pro imperio*, but the latter, the most extravagant piece of sovereignty that in a time of peace had been executed by any subject." From whence the reader may conclude, that whatever encomiums the earl might deserve as a gentleman and a soldier, yet as a statesman he deserved the fate he underwent.

The execution of this great personage struck terror into all the king's late ministers; some of them resigned their places, and others retired into France; among the latter was the lord-keeper Finch and secretary Windebank. Six of the judges were impeached of high crimes and misdemeanours, for "interpreting away the laws of their country;" but the parliament had too much business upon their hands to attend to their prosecution at present. Thus this unhappy prince was deprived of those counsellors who were in his own arbitrary sentiments, and left as in a manner to himself, and the powerful influence of his bigoted queen and her cabal of Papists; for the new ministers who succeeded, were such in whom the king would place no confidence. So that most men expected that these vigorous proceedings would induce him to put a speedy end to the session.

But that which prevented it, was the want of money to pay off the armies in the north; his majesty pressed the houses to dispatch this affair, and relieve the country from the burden of contribution; on the other hand, the commons looked upon the Scots as their security, and that if they were sent home, they should again be at the mercy of the prerogative, supported by a standing army. However, they had begun to borrow money of the city of London towards the expense; but when the plot to dissolve the parliament broke out, the citizens declared they would lend nothing upon parliamentary security, because their sitting was so very precarious. This gave rise to a motion for the continuance of the present parliament, till they should dissolve themselves, which was presently turned into a short bill, and passed both houses with very little opposition, as the only expedient that could be thought of to support the public credit: it enacts, "that this present parliament shall not be adjourned, prorogued, or dissolved, without their own consent:" and was signed by commission with the bill of attainder against the earl of Strafford.

\* Vol. 1. p. 250.



All men stood amazed at the king's weakness on this occasion ; for by this hasty and unadvised measure he concurred in a change of the whole constitution, giving the two houses a co-ordinate power in the legislature with himself, for as long time as they pleased : if his majesty had fixed their continuance to a limited time, it might have satisfied the people, and saved the prerogative ; but by making them perpetual, he parted with the sceptre out of his own hands, and put it into the hands of his parliament. " This (says Mr. Echard) has made some writers doubt, whether those who afterward took up arms against the king could be legally termed rebels. For by passing this act his majesty made the two houses so far independent upon himself, that they immediately acquired an uncommon authority, and a sort of natural right to inspect and censure his actions, and to provide for the safety of the kingdom."

While the commons were alarmed with the discovery of the plot, and the flight of the conspirators, Mr. Pym moved that both houses might join in some band of defence for the security of their liberties, and of the Protestant religion ; accordingly the following protestation was drawn up, and subscribed the very next day by the whole house [May 3].

" I, A. B., do in the presence of Almighty God vow and protest, to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true reformed Protestant religion, expressed in the doctrine of the church of England, against all Popery and Popish innovations in this realm, contrary to the said doctrine ; and according to the duty of my allegiance, I will maintain and defend his majesty's royal person, honour, and estate ; also the power and privilege of parliament, the lawful rights and liberties of the subject, and of every person who shall make this protestation in whatsoever he shall do, in the lawful pursuance of the same. And to my power, as far as lawfully I may, I will oppose, and by all good ways and means endeavour to bring to condign punishment, all such who shall by force, practice, counsel, plot, conspiracy, or otherwise, do any thing to the contrary in this protestation contained. And farther, that I shall in all just and honourable ways endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland ; and neither for hope, fear, or any other respect, shall relinquish this promise, vow, and protestation\*."

May 4, this protestation was made by all the peers present in parliament, except the earl of Southampton and lord Roberts † ; even by the bishops themselves, though (as lord Clarendon ‡ observes) it comes little short of the Scots covenant. Their lord-

\* Clarendon, vol. 1. p. 251, &c.

† "Alleging, that there was no law that enjoined it : and that the consequence of such voluntary engagements might produce effects, that were not intended."

Lord Clarendon as quoted by Dr. Grey.—Ed.

‡ Vol. 1. p. 253.

means support or justify. The odium of putting a stop to the protestation fell upon the bench of bishops, who were already sinking under their own weight: and his majesty's not interposing in this affair at all, was afterward made use of as a precedent for imposing the solemn league and covenant upon the whole kingdom without his concurrence\*.

The Puritans had also objected to the lordly titles and dignities of the bishops; but their votes in the house of peers were now esteemed a very great grievance, and an effectual bar to the proceedings of parliament. It was remembered that they had been always averse to reformation; that they had voted unanimously against the supremacy in king Henry VIII.'s reign; and against the act of uniformity in queen Elizabeth's. It was now observed that they were the creatures of the court, and a dead weight against all reformation in church or state; twenty-six votes being sufficient at any time to turn the scale in that house, whose full number was not above a hundred; it was therefore moved, that a bill might be brought in to take away their seats in parliament, which was readily agreed to. The bill, says lord Clarendon †, was drawn up with great deliberation, and was entitled, "An act for restraining bishops, and others of the clergy in holy orders, from intermeddling in secular affairs." It consisted of several branches, as, "that no bishop should have a vote in parliament, nor any judicial power in the star-chamber, nor be a privy-councillor, nor a judge in any temporal courts; nor should any clergyman be in the commission of peace." To make way for the passing of this bill, it was alleged, that if this were granted the commons would be satisfied, and little or nothing further attempted to the prejudice of the church. It therefore passed the house of commons without opposition, and was sent up to the house of peers May 1, 1641. Mr. Fuller says ‡, that lord Kimbolton would have persuaded the bishops to resign their votes in parliament, adding, that then the temporal lords would be obliged in honour to preserve their jurisdiction and revenues. The earl of Essex also employed somebody to treat privately with the bishops on the same head; but they rejected all overtures of accommodation, resolving to make their utmost efforts, and to keep possession of their seats till a superior strength should dispossess them; accordingly the bill met with a vigorous opposition in the upper house, and after a second reading was thrown out, without so much as being committed (a countenance frequently given to bills they never intend to pass); but the whole bench of bishops voting for themselves, it is no wonder it was lost by a considerable majority. Mr. Fuller says it would have been thrown out if the bishops had not voted at all; for though the temporal lords were content to exclude them from all secular offices and employments in the state, they were in no disposition to take away their suffrages in the house of peers.

\* Nalson's Col. vol. 2. p. 414.

† Vol. 1. p. 234.

‡ Book 9. p. 185.



Many learned speeches were made in both houses upon this occasion; the reasons of the commons for passing the bill were these: (1.) Because their attendance on secular affairs, not relating to the church, is a great hinderance to their spiritual function \*. "No man that warreth (saith St. Paul to Timothy) entangleth himself with the affairs of this life." (2.) Because it is contrary to their ordination-vow; for when they enter into holy orders they promise to give themselves wholly to that vocation. (3.) Because councils and canons in several ages have forbid their meddling in secular affairs. (4.) Because the twenty-four bishops depend on the two archbishops, and take an oath of canonical obedience to them. (5.) Because their peerage is not of the same nature with the temporal lords, being but for life. (6.) Because they depend on the crown for translation to greater bishopricks. (7.) Because it is not fit that twenty-six of them should sit as judges upon complaints brought against themselves and their order †.

Bishop Williams published an answer to these reasons, entitled the *Abstract*, to which there presently came out a reply. The chief speakers on behalf of the bishops, in the house of peers, were, the lord-viscount Newark, afterward earl of Kingston, Dr. Williams, lord-bishop of Lincoln, afterward archbishop of York, the marquis of Hereford, the earls of Southampton, Bath, and Bristol. But instead of transcribing their speeches, I will give the reader a summary of their arguments, and of their adversaries' reply.

First, It was argued, that "bishops had voted in parliament almost ever since the Conquest, according to Matthew Paris, sir Henry Spelman, and others." To which it was replied ‡, that time and usage ought to be of no weight with lawmakers, on the behalf of things which are allowed to be inconvenient: abbots had voted as anciently in parliament as bishops, and yet their votes were taken away.

Secondly, It was said that "the bishops voting was no considerable hinderance in their spiritual function; for parliaments were to sit but once in three years, and then but for a month or two together; but though no clergyman should entangle himself with the affairs of this life, the apostle does not exclude him from intermeddling." To which it was answered, that the

\* Rushworth, p. 281. Nalson's Collection, vol. 2. p. 260.

† On these reasons, Dr. Harris observes, "that, whatever might have been thought of them at that time, we are to suppose that they have long been of no force. The zeal for the constitution in church and state, the abhorrence of all ministerial measures inconsistent therewith, the opposition to every thing contrary to liberty and the public good; and above all, the self-denial, and contempt of the world, humility, and constant discharge of episcopal duties, required in the New Testament: I say, all these things shew how much the bishops since the Reformation are altered, and how much those are mistaken who represent them as a dead weight in the house of lords, and a useless expense to the public." *Life of Charles I.* p. 330, 331.

‡ Nalson's Collections, vol. 2. p. 251, &c.

episcopal function, if well discharged, was enough for all their time and thoughts; and that their diocesses were large enough to employ all their labours, in visitation, confirmation, preaching, &c. The design of the apostle Paul was certainly to exhort Timothy to withdraw himself as much as possible from the affairs of this life, that his thoughts might be more entire for his evangelical work; and therefore, in another place, he exhorts him to give himself wholly to these things.

Thirdly, it was said, that "clergymen had always been in the commission of the peace, from the first planting of Christianity, and that they were best qualified for it." To which it was answered, that they were most unfit for this employment, because it had a direct tendency to hinder their usefulness in their pulpits; and to the fact it was replied, that the first clergymen that were made justices of the peace, or had power in temporal jurisdiction, were the bishops of Durham and York, 34 Edw. III. That before the act of conformity, 1 Edw. VI. the clergy were not put in commission for the peace; and that the reason of their being then admitted was, that they might persuade the people to conformity; but if in conscience they held it not consistent with their spiritual calling, they might refuse.

It was farther said, that the taking away one whole bench out of the house of peers was an ill precedent, and might encourage the commons one time or other to cut off the barons, or some other degree of the nobility. To which it was replied, that the peerage of the bishops did not stand upon the same footing with the rest of the nobility, because their honour does not descend to their posterity, and because they have no right to vote in cases of blood; if they had the same right of peerage with the temporal lords, no canon of the church could deprive them of it; for it was never known, that the canons of the church pretended to deprive the barons of England of any part of their inherent jurisdiction.

It was argued further, that if the bench of bishops were deprived of their votes, they would be left under very great disadvantages; for whereas the meanest commoner is represented in the lower house, the bishops will be thrown out of this common benefit; and if they have no share in consenting to the laws, neither in their persons nor representatives, what justice can oblige them to keep those laws?

To which it was replied, that they have the same share in the legislature with the rest of the freeholders of England; nor is there any more reason that the bishops, as bishops, should be a part of the legislature, than the judges or the lawyers, as such, or any other incorporated profession of learned men.

But the principal argument that was urged in favour of bishops was, that "they were one of the three estates in parliament; that as such they were the representatives of the whole body of the clergy, and therefore to turn them out would be to alter the con-



stitution, and to take away one whole branch of the legislature : the parliament would not then be the complete representative body of the nation, nor would the laws which were enacted in their absence be valid. To support this assertion it was said, (1.) That the clergy in all other Christian kingdoms of these northern parts, make up a third estate, as in Germany, France, Spain, Poland, Denmark, Scotland; and therefore why not in England? (2.) When king Henry V. was buried, it is said, the three estates assembled, and declared his son Henry VI. his successor. The petition to Richard duke of Gloucester, to accept the crown, runs in the name of the three estates; and in his parliament it is said expressly, that at the request of the three estates (i. e. the lords spiritual and temporal, and commons in parliament assembled,) he was declared undoubted king of these realms; to which may be added, the statute of 1 Eliz. cap. 3, where the lords spiritual and temporal, and commons, are said to represent the three estates of this realm.

It was replied to this, that the bishops did not sit in the house as a third estate, nor as bishops, but only in the right of their baronies annexed to their bishopricks, 5 Will. I. All the bishops have baronies except the bishop of Man, who is as much a bishop, to all intents and purposes of jurisdiction and ordination, as the others, but has no place in parliament, because he does not hold *per integram baroniam*. It must be admitted, that in ancient times the lords spiritual are sometimes mentioned as a third estate of the realm, but it could not be intended by this, that the clergy, much less the bishops, were an essential part of the legislature; for if so, it would then follow, that no act of parliament could be valid without their consent; whereas divers acts are now in force, from which the whole bench of bishops have dissented, as the act of conformity, 1 Edw. VI. and the act of supremacy, 1 Eliz.\* If the major part of the barons agree, and the house of commons concur, any bill may pass into an act with the consent of the king, though all the bishops dissent, because their votes are overruled by the major part of the peers. In the parliament of Northampton under Henry II. when the bishops challenged their peerage†, they said, “Non sedemus hic episcopi sed barones,” We sit not here as bishops, but as barons;—we are barons, and you are barons, here therefore we are peers. Nor did king Charles himself apprehend the bishops to be one of the three estates, for in his declaration of June 16, 1642, he calls himself one, and the lords spiritual and temporal, and commons, the other two. In ancient times the prelates were sometimes excluded the parliament, as in 25 king Edw. I. when they would not agree to grant an aid to his majesty in the parliament at Carlisle; and before that time several acts had passed against the oppressions of the clergy, in which the entry in the records stands thus, “the king having con-

\* Nalson's Collections, vol. 2. p. 502, &c.

† Fuller's Appeal.

sulted with the earls, barons, and the other nobles; or by the assent of the earls, barons, and other lay people;" which shews the bishops did not consent, for if they had, they would have been first named, the order of the nobility in all ancient records being prelates, earls, and barons\*. When the convocation had cited Dr. Standish before them, for speaking words against their power and privilege, in the 7th Henry VIII. it was determined by all the judges of the land, in presence of the king, that his majesty might hold his parliament without calling the bishops at all. It appears therefore from hence, that the bishops never were accounted a third estate of the realm, in such a sense as to make them an essential branch of the legislature; nor are they the representatives of the clergy, because then the clergy would be twice represented, for as many of them as are freeholders are represented with their fellow-subjects in the house of commons; and as clergymen they are represented in convocation, the writ of election to convocation being to send two clerks *ad consentiendum*, &c. Besides, none can properly be called representatives of others, but such as are chosen by them; the bishops therefore, not being chosen for this purpose, cannot properly be the representatives of the clergy in parliament; they sit there not in their spiritual character, but by virtue of the baronies annexed to their bishopricks; and if the king, with consent of parliament, should annex baronies to the courts of justice in Westminster-hall, or to the supreme magistracy of the city of London, the judges and the lord-mayor for the time being would have the same right of peerage. But none of these arguments were deemed of sufficient weight with the lords to deprive them of their seats in parliament.

The loss of this bill, with the resolute behaviour of the bishops, who were determined to part with nothing they were in possession of, inflamed the commons, and made them conclude, that there was no hope of reformation while they were a branch of the legislature. It was observed that the bishops were unusually diligent in giving their attendance upon the house at this time, and always voted with the court. Some of the leading members therefore, in the warmth of their resentments, brought in a bill in pursuance of the root and branch petition, which had been laid aside for some time, for the utter extirpation of all bishops, deans, and chapters, archdeacons, prebendaries, chanters, with all chancellors, officials, and officers belonging to them; and for the disposing of their lands, manors, &c. as the parliament shall appoint†. A rash and inconsiderate attempt! For could they expect that the bishops should abolish themselves? Or that the temporal lords should consent to the utter extirpating an order of churchmen, when they would not so much as give up one branch of their privilege? The bill being drawn up by Mr. St. John, was delivered to the

\* Rushworth, part 3. vol. 1. p. 396.

† Nalson's Collections, vol. 2. p. 248. 295. 300.



speaker by sir Edward Deering with a short speech, in which he took notice of the moderation of the house in the late bill, hoping that, by pruning and taking off a few unnecessary branches from the bishops, the tree might prosper the better! but that this soft method having proved ineffectual, by reason of their incorrigible obstinacy, it was now necessary to put the "axe to the root of the tree\*." "I never was for ruin (says he) as long as there was any hope of reforming; and now I profess, that if those hopes revive and prosper, I will divide my sense upon this bill, and yield my shoulders to underprop the primitive, lawful, and just episcopacy." He concluded with a sentence in Ovid.

*Cuncta prius tentanda, sed immedicabile vulnus  
Ense recidendum est, ne pars sincera trahatur†.*

The reading of this bill was very much opposed, because it was brought in contrary to the usage of parliament without first asking leave; however, it was once read, and then adjourned for almost two months: a little before the king went to Scotland it was carried by a majority of thirty-one voices to read it a second time, and commit it to a committee of the whole house, of which Mr. Hyde [lord Clarendon] was chairman, who made use of so much art and industry to embarrass the affair, that after twenty days the bill was dropped.

Sir Edward Deering's speech in the committee will give light into the sentiments of the Puritans of these times‡; "The ambition of some prelates (says he) will not let them see how inconsistent two contrary functions are in one and the same person, and therefore there is left neither root nor branch of that so good and necessary a bill which we lately sent up, and consequently no hope of such a reformation as we all aim at; what hopes then can we have, that this bill, which strikes at root and branch, both of their seats of justice, and of their episcopal chairs in the church, will pass as it is, and without a tender of some other government in lieu of this, since the voices are still the same which threw out your former bill§."—Sir Edward therefore proposed another form of government, if the house should think fit to abolish the present, which was in a manner the same with archbishop Usher's hereafter mentioned; as, "First, That every shire should be a distinct diocess or church. Secondly, That in every shire or church twelve or more able divines should be appointed, in the nature of an old primitive constant presbytery. Thirdly, That over every presbytery there should be a president,

\* Clarendon, vol. 1. p. 237. Nalson, *ut ante*, p. 248.

† Lord Clarendon represents sir Edward Deering as a man of levity and vanity, easily flattered by being commended; and says, "that the application of the above lines was his greatest motive to deliver the speech which they close. Dr. Harris (*Life of Charles I.* p. 327) says, he could not be actuated by so mean a motive; and that he was a man of sense, virtue, and learning, perhaps not inferior to his lordship, and of a family vastly superior."—*Ed.*

‡ Nalson's Collection, vol. 2. p. 295, &c.

§ *Ibid.*

sulted with the earls, barons, and the assent of the earls, barons, and other the bishops did not consent, for the first named, the order of the prelates, earls, and barons. Dr. Standish before the king and privilege, in the the judges of the law might hold his place appears therefor accounted a thing them an error represent twice repress and ele &

moderate, or superin-  
case, provided there be  
and direction of the pres-  
the house of commons, or  
accordingly it was resolved, July 10,  
the government of the church be  
July 31, resolved, "That the  
in the names of nine persons to  
on whom the power of church-  
governors; but that no clergyman be of  
This was designed as a temporary provision,  
Puritans of these times did not intend the  
but only a reduction of episcopacy to  
a more primitive standard; and if the  
some part of their juris-  
would have relinquished  
the mischiefs that befel them afterward might have been  
prevented; however, for the present, the prosecution of it was  
laid aside.  
But the house went more readily into the debate for abolishing  
deans and chapters, and applying their revenues to better pur-  
poses." This alarmed the cathedral-men, and put them upon  
consulting how to ward off the danger that threatened them; for  
this purpose one divine was deputed from every cathedral in  
England, to solicit their friends in the houses on behalf of their  
several foundations; and it must be owned, they did all that  
men could do, leaving no stone unturned that might be for their  
advantage. Addresses were presented from both universities in  
their favour†: the address from Oxford prays "for the continu-  
ance of the present form of church-government, as the most  
ancient and apostolical; and for the continuance of cathedral  
churches, with their lands and revenues, as dedicated to the  
service of God, soon after the first plantation of Christianity  
here; as foundations thought fit to be preserved, when the nur-  
series of superstition were demolished at the Reformation; as  
confirmed by the laws of the land; as nurseries of students and  
learned men in divinity; as the upholders of divers schools,  
hospitals, highways, bridges, and other pious works; as beneficial  
to those cities where they are situate, by hospitality, by relief of  
the poor, and by occasioning the resort of many strangers, to the  
benefit of the tradesmen and inhabitants of the places where they  
are built; as the chief support of many thousand families of the  
laity, who enjoy estates from them in a free way; and as yielding  
an ample revenue to the crown, and a maintenance to many  
learned professors in the university." The address from the  
university of Cambridge was to the same purpose, and therefore  
prays, "that the religious bounty of their ancestors, for the  
advancement of learning, and of learned men, may be preserved

\* Fuller's Church History, b. 11. p. 176.

† Nalson's Coll. vol. 2. p. 305, 306.



from ruin and alienation; but withal, to take order, that they may be reduced to the due observation of their statutes, and that all innovations and abuses may be reformed." The deputies from the several cathedrals drew up a petition to the lords and commons to be heard by their counsel; but being informed that the house would not allow them that benefit, and that if they had any thing to offer they must appear and plead their own cause; they made choice of Dr. John Hacket, prebendary of St. Paul's and arch-deacon of Bedford, as their advocate, who being admitted to the bar of the house, May 12, after the petitions from the two universities had been read, made a laboured speech in their behalf, insisting chiefly on the topics of the Oxford address.

He recommended cathedrals, "as fit to supply the defects of private prayer;" the public performance whereof should be in some place of distinction \*. And whereas the exquisiteness of the music gave offence to some ears, as hindering their devotion, he requested, in the name of his brethren, that it might be moderated to edification, and reduced to the form that Athanasius recommends, "*ut legentibus sint quam cantantibus similiores.*"

He alleged, that "at the Reformation preaching began in cathedrals;" and whereas some have said, that lecture-preachers were an upstart corporation; the doctor observed, that the local statutes of all the cathedrals required lectures on the week-days; and he requested, in the name of his brethren, that the godly and profitable performance of preaching might be more exacted.

He urged, that "cathedrals were serviceable for the advancement of learning, and training up persons for the defence of the church;" and that the taking them away would disserve the cause of religion, and be a pleasure to their adversaries.

He added, that "the ancient and genuine use of deans and chapters was a *senatus episcopi*," to assist the bishop in his jurisdiction; and whereas some of his reverend brethren had complained, that bishops had for many years usurped the sole government to themselves and their consistories; the continuing of chapters rightly used would bring it to a plurality of assistants.

He then put them in mind of "the antiquity of the structures, and the number of persons maintained by them," amounting to many thousands; he instanced their tenants, who by their leases enjoyed six parts in seven pure gain, and had therefore petitioned for their landlords; and shewed, that the cities in which cathedrals were built, were enriched by the hospitality of the clergy, and the resort of strangers.

He enlarged farther, "upon their endowments, as encouragements to industry and virtue:" that several famous Protestants of foreign parts had been maintained by being installed prebendaries, as, Casaubon, Saravia, Dr. Peter du Moulin, Vossius, and others; that the crown had great benefit from these founda-

\* Fuller, b. 11. p. 177.

tions, paying greater sums into the exchequer for first-fruits and tenths, according to proportion, than other corporations.

And lastly, he puts them in mind, that "these structures and estates were consecrated to divine service, and barred all alienation with the most dreadful imprecations."

In the afternoon Dr. Cornelius Burges appeared on the other side of the question, and made a long speech concerning the unprofitableness of those corporations; he complained of the "debauchery of singing-men," and of their vicious conversation; he spoke against "music in churches" as useless and hurtful. He made a distinct answer to the particulars of Dr. Hacket's speech; and in conclusion said, "though he apprehended it necessary to apply these foundations to better purposes, it was by no means lawful to alienate them from public and pious uses, or to convert them to any private persons' profit."

The farther debate of this bill was adjourned for a week, and then committed to a committee of the whole house, when the two following remarkable speeches were made against these foundations\*.

The first by Mr. Serjeant Thomas, who admits, "that there were deans in St. Austin's time, but that they were not officers of the church until some centuries after. St. Austin gives this account of their original; that the monks, for their more convenient retirement and contemplation, appointed officers, whom they called deans, '*eo quod denis sunt præpositi*;' because every man had the care of ten monks, and was to provide them all necessaries of life, that their devotions might not be interrupted with worldly cares. In the following ages of darkness and superstition, princes and others bestowed large revenues upon these monks, from the opinion they had of the austerity and sanctity of their lives; and as the monks grew rich, the office of the dean, who was the '*præpositus*' or steward, grew more considerable, till in St. Bernard's time it was ordained, that none but a presbyter should be a dean: '*ne sit decanus nisi presbyter*.' At the reformation of religion, when many other religious foundations were broke up, these were preserved, and in the constitutions of King Henry VIII. and Edward VI. it is ordained, that all deans should be presbyters, men of gravity, learning, and prudence, that they should govern the cathedral churches according to their statutes; that they should preserve discipline, and see that the holy rites be performed in a grave and decent manner; that they be assistants to the bishops within their several cathedrals, as the archdeacons are abroad, for which reason they should not be absent from their cathedrals without the most urgent necessity, to be allowed by the bishop, but one or other of them is to preach in their cathedrals every Lord's day." The serjeant then observed how unlike our present deans were to their predecessors; how little they observed

\* Rushworth, part 3. vol. 1. p. 285. Nalson's Coll, vol. 2. p. 282.



the statutes of their institution, and gave it as his opinion, that it was not reasonable that such vast revenues should be allowed to persons who were of so little use to the church or commonwealth.

Mr. Pury, alderman of Gloucester, pursued the same argument; he produced a copy of the statutes of the dean and chapter of Gloucester, with their original grant about the time of the Reformation. "We have erected (says the king) cathedrals and colleges in the place of monasteries, that where ignorance and superstition reigned, the sincere worship of God might flourish, and the gospel of Ghris Jesus be purely preached; and farther, that the increase of the Christian faith and piety, the instruction of youth in good learning, and the sustentation of the poor, may be for ever kept, maintained, and continued\*." He then produced the statutes, which ordained, "that the said deans, prebends, and canons, shall always reside and dwell in the houses of the said cathedrals, and there keep a family, with good hospitality to feed the poor, and to distribute alms. That they should 'preach the word in season and out of season,' especially in the cathedral-church, and have youth profitably taught there. To this end they are to have a common table in the common-hall of the cathedral; where the canons, scholars, choristers, and officers, are to eat together. The said dean and chapter are to give yearly 20*l.* to the poor, besides what is given to their own poor alms-men, and 20*l.* more to the repairing bridges and highways thereabouts. For the performance of the said statutes and premises, the deans, prebendaries, canons, and other ministers of the cathedral, are obliged to take an oath, and every one of them doth swear, that to the utmost of his power, he will observe them inviolably."

The alderman observes from hence, "that not one of the above-mentioned statutes are, or have been kept, or the matters in any of them contained, performed by any of the deans or prebendaries of the said cathedral in his memory. That they come once a year to receive the rents and profits of the lands, but do not distribute to the poor their proportion; nor do they mend the highways and bridges; nor do they keep any common table; and instead of preaching 'in season and out of season,' they neither practise it themselves, nor encourage it in others. Infinite are the pressures that many cities near unto deans and chapters have endured by them, and their procurement; so far have they been from a common benefit. Since then the said deans and chapters are but trustees, and the profits of the said lands have been so ill employed, contrary to the trust in them reposed, the alderman was of opinion, that by a legislative power in parliament it was fit to take them away, and put them into the hands of feoffees, to be disposed of to such pious and charitable uses as they were first intended for; by which means the preaching of the gospel might

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\* Nalson's Collection, vol. 2. p. 289.

be effectually encouraged, smaller livings augmented, and the necessities of the poor better supplied."

These speeches made such an impression upon the house, that after a long debate they came to these resolutions, "that all deans, deans and chapters, archdeacons, prebendaries, chanters, canons, and petty canons, and their officers, shall be utterly abolished and taken away out of the church; and that all the lands taken by this bill from deans and chapters shall be put into the hands of freeholders, to be employed for the support of a fit number of preaching ministers for the service of every church, and for the reparation of the said churches, provision being made, that his majesty be no loser in his rents, first-fruits, and other duties; and that a competent maintenance shall be made to the several persons concerned, if they appear not delinquents to this house." But none of these votes passed into a law; nor was there the least prospect of their being confirmed by the lords, as long as the bishops were in that house, who stood together like a wall against every attempt of the commons for alterations in the church, till, by an unexpected providence, they were broken in pieces, and made way for their own ruin.

The firmness of the bishops against all abatements or relaxations in favour of the Puritans, exasperated the people, and put an end to all prospect of agreement. A committee of accommodation had been appointed by the house of lords, March 12, to consider of such innovations in religion as were proper to be taken away, which by the plot of the court to bring up the army, and the loss of the late bills for reformation of the hierarchy, was now broken up\*. It consisted of ten earls, ten bishops, and ten barons. "This committee (says archbishop Laud in his diary) will meddle with doctrine as well as ceremony, and will call some divines to them to consider of the business, as appears by a letter hereunto annexed, sent by the lord-bishop of Lincoln to some divines to attend this service. Upon the whole, I believe this committee will prove the national synod of England, to the great dishonour of the church, and what else may follow upon it God knows." At their first meeting they appointed a sub-committee of bishops, and divines of different persuasions, to prepare matters for their debate; the bishop of Lincoln was chairman of both, and was ordered to call together the sub-committee with all convenient speed; which he did by a letter directed to each of them in the following words:

"I am commanded by the lords of the committee for the innovations in matters of religion, to let you know, that their said lordships have assigned and appointed you to attend them, as assistants in that committee; and to let you know in general, that their lordships intend to examine all innovations in doctrine and discipline introduced into the church without law, since the Refor-

\* Laud's Diary, p. 61. History of his Troubles, p. 174.



mation; and (if their lordships shall find it behoveful for the good of the church and state) to examine after that, the degrees and perfection of the Reformation itself, which I am directed to intimate to you, that you may prepare your thoughts, studies, and meditations, accordingly, expecting their lordships' pleasure for the particular points, as they shall arise. Dated March 12, 1640—1."

Their names were these:—

Dr. Williams, bishop of Lincoln,	Dr. Holdsworth,
Dr. Usher, archbishop of Armagh,	Dr. Hacket,
Dr. Morton, bishop of Durham,	Dr. Twisse,
Dr. Hall, bishop of Exeter,	Dr. Burges,
Dr. Samuel Ward,	Mr. White,
Dr. John Prideaux,	Mr. Marshall,
Dr. Sanderson,	Mr. Calamy,
Dr. Featly,	Mr. Hill.
Dr. Brownrigge,	

Some others were named, but these were all who appeared: they consulted together six several days in the Jerusalem-chamber at Westminster, the dean entertaining them all the while at his table. The result of their conferences was drawn up for the debate of the committee, in certain propositions and queries under the following heads:

#### 1.—*Innovations in Doctrine.*

1. "Quære, Whether in the twentieth article these words are not inserted, 'the church has authority in controversies of faith?'"

2. "Several false doctrines have been preached, even all the doctrines of the council of Trent, abating only such points of state Popery against the king's supremacy, as were made treason by the statute; for example, some have preached justification by works; others, that works of penance are satisfactory before God; that private confession is necessary to salvation, *necessitate medii*; that absolution of a priest is more than declaratory; that the Lord's supper is a true and proper sacrifice. Some have defended prayer for the dead, and the lawfulness of monastic vows; some have denied the morality of the sabbath; some have preached, that subjects are bound to pay taxes, contrary to the laws of the realm; some have defended the whole substance of Arminianism; and others have given just occasion of being suspected of Socinianism.

3. "Several dangerous and reprobable books have been printed," which are mentioned in the copy of their proceedings, now before me.

#### 2.—*Innovations in Discipline.*

As, 1. "Turning the holy table into an altar.

2. "Bowing towards it, or to the east many times, with three congees, at access or recess in the church.

3. "Placing candlesticks on altars in parochial churches in the day-time, and making canopies over them, with curtains, in imita-

tion of the vail of the temple; advancing crucifixes and images upon the parafront or altar-cloth, and compelling all communicants to come up before the rails.

4. "Reading the litany in the body of the church, and some part of the morning-prayer at the altar, when there is no communion; and the minister's turning his face to the east when he pronounces the creed, or reads prayers.

5. "Offering bread and wine by the hands of the churchwardens, or others, before the consecration of the elements. Having a *credentia*, or side-table for the Lord's supper. Introducing an offertory before the communion, besides the giving alms to the poor afterward.

6. "Prohibiting ministers to expound the catechism; suppressing lectures on the week-day, and sermons on Sunday afternoon. Prohibiting a direct prayer before sermon; and bidding of prayer.

7. "Singing *Te Deum* in prose in parish-churches. Standing up at the hymns of the church; and always at *Gloria Patri*. Carrying children from baptism to the altar, to offer them to God; and prohibiting the building galleries in churches, where the parishes are very populous.

8. "Introducing Latin service in the communion at Oxford; and into morning and evening prayer in Cambridge.

9. "Pretending for their innovations the injunctions and advertisements of queen Elizabeth, which are not in force, but appertain to the liturgy, printed in the second and third of Edw. VI. which the parliament had reformed and laid aside."

*Memorandum for Reformation.*

1. "That in all cathedral and collegiate churches two sermons be preached every Sunday, and likewise every holiday; and one lecture at least on working days every week in the year.

2. "That the music used in cathedral and collegiate churches be framed with less curiosity; and that no hymns or anthems be used where ditties are framed by private men, but such as are contained in the Holy Scriptures, or in our liturgy or prayers, or have public allowance.

3. "That the reading desk be placed in the church, where divine service may be best heard of the people."

*3.—Considerations upon the Book of Common Prayer.*

1. "Whether the names of some departed saints should not be struck out of the calendar?

2. "Whether the rubric should not be mended, where all those vestments are commanded which were used in the second year of Edward VI?

3. "Whether lessons of canonical Scripture should not be inserted into the calendar instead of Apocrypha?

4. "In the rubric for the Lord's supper, whether it should not be inserted, that such as intend to communicate shall signify their names to the curate over night, or in the morning before prayers?



5. "The next rubric to be explained, how far a minister may repulse a scandalous and notorious sinner from the communion?"

6. "Whether it be not fit to insert a rubric, touching kneeling at the communion, that it is to comply in all humility with the prayer which the minister makes, when he delivers the elements?"

7. "Whether there should not be a rubric to take away all offence from the cross in baptism? Or, whether it be more expedient that it be wholly disused? And, whether this reason shall be published, that in ancient liturgies no cross was signed upon the party but where oil also was used, and therefore oil being now omitted, so may that which was concomitant with it, the sign of the cross?"

8. "Whether the catechism may not receive a little more enlargement?"

9. "Whether the times prohibited for marriages are quite to be taken away? Whether those words in the office, "With my body I thee worship," should not be thus altered,—I give thee power over my body? And, whether that part of the rubric which obliges the new-married persons to receive the communion the same day of their marriage, might not be changed for the next Sunday when the communion is celebrated?"

10. "Whether in the absolution for the sick it were not better to say, I pronounce thee absolved? And in the office for the dead, instead of those words, 'in sure and certain hope of the resurrection to eternal life,' whether it were not better to say,—knowing assuredly, that the dead shall rise again."

Some other amendments of smaller moment were proposed, but these were the chief. No mention was made of a reformation of episcopacy, because their chairman the bishop of Lincoln had undertaken that province, and accordingly presented the house of lords with a reconciling scheme, which was dropped after the first reading. It consisted of ten articles.

1. "That every bishop, being within his diocese, and not disabled by ill health, shall preach once every Lord's day, or pay 5*l.* to the poor, to be levied by the next justice of the peace.

2. "That no bishop shall be justice of the peace, except the dean of Westminster in Westminster and St. Martin's. [This seems to be a proviso for himself.]

3. "That every bishop shall have twelve assistants besides the dean and chapter; four to be chosen by the king, four by the lords, and four by the commons, for jurisdiction and ordination.

4. "That in all vacancies, these assistants, with the dean and chapter, shall present to the king, three of the ablest divines in the diocese, who shall choose one to be bishop.

5. "That deans and prebendaries shall not be nonresidents at their cathedrals above sixty days.

6. "That sermons shall be preached in the cathedrals twice every Lord's day, once every holiday, and a lecture on Wednesdays, with a salary of one hundred marks per annum.

7. "That all archbishops, bishops, and collegiate churches

&c. shall be obliged to give a fourth part of their fines, and improved rents, to buy in impropriations.

8. "That all double beneficed men shall pay the value of half their living to the curate.

9. "No appeal shall be made to the court of arches, or court of audience.

10. "It is proposed, that canons and ecclesiastical constitutions shall be drawn up, and suited to the laws of the realm, by sixteen learned persons, six to be nominated by the king, five by the lords, and five by the commons."

Archbishop Usher offered another scheme, for the reduction of episcopacy into the form of synodical government, received in the ancient church; in which his grace supposes, that of the many elders that ruled the church of Ephesus, there was one stated president whom our Saviour calls the angel; and whom Ignatius, in one of his epistles, calls the bishop, to whom, in conjunction with the elders or presbyters, the whole government of the church, both as to doctrine and discipline, was committed. He therefore proposes, that these be continued; and for a regulation of their jurisdiction, that suffragans should be appointed to hold monthly synods of presbyters, from whom there should be an appeal to diocesan, provincial, and national ones; and more particularly,

1. "That the rector of every parish, with the churchwardens, should admonish and reprove such as live scandalously, according to the quality of their offence: and if by this means they are not reclaimed, to present them to the next monthly synod, and in the mean time debar them the Lord's table.

2. "Whereas by a statute of 26 Henry VIII. suffragans are appointed to be erected in twenty-six several places of this kingdom, the number of them may be conformed to the number of the several rural deaneries, into which every diocese is subdivided; which being done, the suffragan may every month assemble a synod of the several rectors or incumbent pastors within the precinct, and according to the major part of their votes conclude all matters that should be brought into debate before them.

3. "A diocesan synod might be held once or twice a year, wherein all the suffragans, and the rest of the rectors and incumbent pastors, or a certain select number out of every deanery, within that diocese, might meet, with whose consent all things might be concluded by the bishop or superintendent; or in his absence by one of his suffragans, whom he should appoint as moderator in his room; and here the transactions of the monthly synods may be revised and reformed.

4. "The provincial synod may consist of all the bishops and suffragans, and such of the clergy as should be elected out of every diocese within the province; the primate of either province might be moderator, or in his room, one of the bishops appointed by him. This synod might be held every third year, and if the parliament be sitting, both the primates and provincial synods might meet together, and make up one national synod, wherein all appeals



from inferior synods might be received, all their acts examined, and all ecclesiastical affairs relating to the state of the church in general established."

Several other proposals were made to the house of commons by those Puritans who were for revising and altering some things in the church, but not for root and branch\*: as that his majesty should be moved to call a national synod, or a select number of divines of the three nations under his majesty's government; with an intimation to all reformed churches to send their deputies, to settle a uniform model of government for the church of England, to be confirmed by parliament, leaving to other nations a Christian liberty in those forms of discipline which are most agreeable to their civil government.

Others proposed, "that the present liturgy might be continued, but that the Apocryphal lessons be entirely omitted; that all sentences of Holy Scripture be according to the last translation; that the word minister be used instead of priest; with some other amendments.—That, with regard to episcopal government, bishops be obliged to constant preaching in their metropolitan or parochial churches;—that they never ordain without consent of three or four presbyters at least;—that they do not suspend by their sole authority, but with consent of presbyters, and that for weighty causes;—that none may be excommunicated but by the bishop himself, with consent of the pastor in whose parish the delinquent dwells; and that for heinous and very scandalous crimes only.—That the fees of ecclesiastical courts be regulated, and that bishops, chancellors, and their officials, may be subject to the censure of provincial synods and convocations."

But all these attempts for accommodation were blasted by the stiffness of the bishops, and by the discovery of the plot to bring the army to London to dissolve the parliament; this put the nation into a ferment, and widened the distance between the king and the two houses, upon which the committee broke up about the middle of May, without bringing any thing to perfection. Mr. Fuller has observed very justly, "that the moderation and mutual compliance of these divines might have saved the body of episcopacy and prevented the civil war; but the court-bishops expected no good from them, suspecting the Doctrinal Puritans, (as they nicknamed those bishops and episcopal divines) joined with the disciplinary Puritans, would betray the church between them. Some hot spirits would abate nothing of episcopal power or profit, but maintained, that the yielding any thing was granting the day to the opposite party." It is the observation of another learned writer, upon the committee's agreeing to have the psalms in the liturgy printed according to the new translation; to expunge all Apocryphal lessons: to alter certain passages in the book of Common Prayer; and some other things, with which divers of the Presbyterians said they were satisfied, "that if the episcopal men had

\* Nalson's Collection, vol. 2. p. 203.

made these concessions when they were in full power, they had prevented the mischiefs that were coming upon them ; but as things were at present, neither side appeared very well satisfied."

There were deep resentments in the breasts of both parties ; the bishops were incensed at the bold attacks of the house of commons upon their peerage and spiritual jurisdiction ; and the Puritans had a quick sense of their former sufferings, which made them restless till they had abridged their power. It is very remarkable, and looks like an appearance of divine displeasure against the spirit of these times, that archbishop Usher's scheme, for the reduction of episcopacy, which at this time would have satisfied the chief body of the Puritans, could not be obtained from the king and the bishops ; that afterward, when the king offered this very scheme at the treaty of the Isle of Wight, the parliament and Puritan divines would not accept it, for fear of breaking with their Scots brethren. Again, when the Presbyterian ministers at the restoration of king Charles II. presented it to his majesty as a model with which they were satisfied, and which would comprehend in a manner their whole body, both the king and bishops rejected it with contempt, and would not suffer it to be debated.

It may not be improper in this place, to make a few remarks upon this part of Mr. Rapin's accurate and judicious history of England, who, in his account of these times, seems to represent the body of the Puritans to be presbyterians, and as having formed a conspiracy against the whole fabric of the church, from the very beginning of this parliament ; whereas the state of the controversy between the church and the Puritans was now changed. In the reigns of queen Elizabeth and king James I. the Puritans were for the most part presbyterians, though even then there were many episcopalians among them ; but from the time that Arminianism prevailed in the church, and the whole body of the Calvinists came to be distinguished by the name of Doctrinal Puritans, both parties seemed to unite in a moderate episcopacy, there being little or no mention of the old book of discipline for twenty years before the commencement of the civil war, and all the controversy turning upon points of Calvinism ; upon a reduction of the exorbitant power of the bishops ; or upon innovations, as they were called, and ceremonies. There were few either among the clergy or laity, who had a zeal for presbytery, or desired any more than to be rid of their oppressions. Mr. Rapin, however, is of opinion\*, that " among the members of parliament there were real presbyterians, who thought no doubt, of altering the whole government of the church. These are represented as deep politicians, as working under ground, and making use of all kinds of artifices to accomplish their designs, which they took care not to discover." He owns, indeed, that " the presbyterians were not very numerous in the house, but that they were supported by a pretty great party in the kingdom, and

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\* Vol. 2, p. 359, 447. folio edition.



particularly by the Scots;" which assertion seems to me to require stronger evidence than he has thought fit to produce. I have shewn from lord Clarendon, that both houses of parliament, at their first sitting down, were almost to a man for the constitution of the church; that they aimed at no more than a redress of grievances; and that there were not above two or three in both houses that were for root and branch. That all the members received the communion according to the usage of the church of England, at their first sitting down, and brought a certificate of their having so done. That the petition of the Puritan ministers was not for setting up presbytery, but only for reforming the grievances of the hierarchy; the controversy between bishop Hall and the Smeectymnuan divines, proceeded on the same footing, as did the committee of accommodation. In short, when the parliament was obliged to fly to the Scots for assistance in the war, and to receive their covenant; and when afterward they found it necessary to pay the utmost deference to their advices, lest they should withdraw their army, and leave them to the mercy of an enraged king, they could never, in the worst of times, be induced to establish their discipline in the church of England, without a reserve of the ecclesiastical power to themselves. And as to the ministers who composed the assembly of divines at Westminster, though in a course of time they carried things very high, yet I am of opinion with Mr. Fuller\*, that at first "they rather favoured the presbyterian discipline, or were brought over to embrace it by the Scots," than that they came thither possessed with sentiments of its divine authority. However, it is certain, that at the Restoration these very divines offered to give it up for archbishop Usher's model of primitive episcopacy.

It must be confessed, that soon after the beginning of the parliament there were many among the common people who were enemies to the whole ecclesiastical constitution, being supported by the Scots commissioners, who had conceived an implacable antipathy against the order of bishops, which they had voted contrary to the word of God. But this was not the case of the Puritan clergy, who wanted only to get rid of the tyranny of the bishops, and were willing to leave the parliament to model the government of the church as they pleased. And although as the influence of the Scots over the two houses increased, presbytery prevailed; and when the parliament were at their mercy, and forced to submit to what conditions they would impose upon them for their assistance, the kirk-discipline gained the ascendant, and at length advanced into a divine right in the assembly of divines; yet the parliament would never come into it, and when the Scots were gone home it dwindled by degrees, till it was almost totally eclipsed by the rising greatness of the Independents.

It appears therefore to me, that there was no formed design as

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\* Book 11. p. 198.

yet, either in the house of commons or among the Puritan clergy, to subvert the hierarchy, and erect the presbyterian government upon its ruins; there were no considerable number of presbyterian ministers in the nation; and the leading members in both houses were known to be of another stamp. "We are confident (says the king, in his letter to the council of Scotland, August 26) that the most considerable persons in both houses of parliament, and those who make the fairest pretensions to you of uniformity in church-government, will no sooner embrace a presbyterial than you an episcopal†." And bishop Burnet speaks the same language. So that what was done in the house of commons afterward, was the result of the situation of their affairs, and not of any formed design: as that changed, so did their councils and measures. The contrary to this ought not to be supposed, but proved by incontestable matters of fact, which neither Mr. Rapin, nor any other historian whom I have read, has yet done. And I will venture to say, that if there were such invisible presbyterians behind the curtain, who planned the subversion of the hierarchy, and blew it up as it were without hands, they must have been abler statesman, and masters of much more worldly politics, than their posterity have ever been remarkable for.

To return to the parliament: There were two bills which affected the prerogative now ready for the royal assent; one to abolish the court of high-commission, and regulate the privy-council; the other to take away the star-chamber. To induce the king to pass them more readily, the commons sent up a money-bill with them; but when the king came to the house [July 3, 1641] he passed the money-bill, and told the houses, he must take some time to consider of the others; which disgusted the commons so much, that they returned to their house and immediately adjourned. At their next meeting they fell into new heats, which his majesty being informed of, came to the house of peers, and having sent for the commons, reprimanded them for their jealousies, and then passed the bills; he also put them in mind what he had done this session; "that he had yielded, that the judges should hold their places *quandiu se bene gesserint*; that he had given away his right to ship-money; granted a law for triennial parliaments, and for securing the money borrowed for disbanding the armies; in a word, that he had hitherto given way to every thing, and therefore they should not wonder, if in some things he began now to refuse†." Lord Clarendon insinuates, that the king passed these bills with reluctance; from whence another ingenious writer concludes, that if ever the ministry had regained their power, it was likely they would advise his majesty to declare them void, as being extorted from him by force and violence.

The act for abolishing the high-commission court repeals that

\* Hamilton's Memoirs, book 4. p. 197.

† Nalson's Collection, vol. 1. p. 327.



branch of the statute 1 Eliz. cap. 1, upon which this court was founded, and then enacts, "that no archbishops, bishops, vicars-general, chancellor, or official, nor commissary, of any archbishop, bishop, or vicar-general, or any other spiritual or ecclesiastical officer, shall by any grant, licence, or commission, from the king, his heirs or successors, after the 1st of August 1641, award, impose, or inflict, any pain, penalty, fine, amercement, imprisonment, or other corporal punishment, upon any of the king's subjects, for any contempt, misdemeanour, crime, matter, or thing whatsoever, belonging to spiritual or ecclesiastical jurisdiction, or shall *ex officio* tender or administer to any person, any corporal oath, to make any presentment of any crime, or to confess or accuse himself of any crime, offence, delinquency, or misdemeanour, whereby he or she may be liable to any punishment whatsoever, under penalty of treble charges, and 100*l.* to him or them who shall first demand or sue for the same. And it is farther enacted, that after the said 1st of August 1641, no new court shall be erected, or deemed, or appointed, that shall have the like power, jurisdiction, or authority, as the high-commission court had, or pretended to have, but all such commissions, letters patent, &c. from the king, or his successors: and all acts, sentences, and decrees, made by virtue thereof, shall be utterly void."

By the passing this act, all coercive power of church-consistories was taken away, and the spiritual sword, that had done such terrible execution in the hands of some bishops, was put into the scabbard. It was very extraordinary that the bishops, who were then in the house of lords, should so supinely suffer themselves to be surprised out of their power. Some were ready to observe a hand of justice, says Mr. Fuller\*, that seeing many simple souls, by captious interrogatories, had been circumvented by the high-commission court into a self-accusation, an unsuspected clause in this statute should abolish all their lawful authority: for there is no proviso in the act to confine it only to the high-commission, but it extends to all archbishops, bishops, and all spiritual or ecclesiastical officers in any of their courts. Lord Clarendon says †, that the king was apprehensive that the body of the bill exceeded the title, and therefore made a pause in consenting to pass it, but that some bishops prevailed with his majesty to sign it, to take off the odium from that bench, of their being enemies to all reformation; for it was insinuated, says the noble historian, that since they opposed a due regulation of their power, there would be no way but to cut them off root and branch.

The act for taking away the star-chamber, and regulating the privy-council, dissolves the said court from the 1st of August 1641, "and repeals all those acts, or clauses of acts of parliament, by which any jurisdiction, power, or authority, is given to the said court, or to any of the officers or ministers thereof. And it

\* Book 11. p. 181.

† Clarendon, vol. 1. p. 294.

ordains farther, that neither his majesty, nor his privy-council, have, or ought to have, any jurisdiction, power, or authority, by English bill, petition, articles, libel, or other arbitrary way, to examine or draw in question, determine or dispose of, the lands, tenements, hereditaments, goods, or chattels, of any of the subjects of this kingdom."

Thus fell the two chief engines of the late arbitrary proceedings in church and state, which had the liberties and estates of many worthy and pious families to answer for. By the proviso in the act for abolishing the high-commission, that "no new court shall be erected with like powers for the future," it appears how odious their proceedings were in the eyes of the nation. Lord Clarendon admits \*, that the taking away the star-chamber at this time was very popular; but is of opinion that it would be no less politic in the crown to revive it when the present distempers are expired; however, I rely on the wisdom of a British parliament, that they will never consent to it.

When the king had signed the two bills, he desired the advice of his parliament, concerning a manifesto which he intended to send to the diet of Ratisbon in favour of the Palatine family, wherein he declares, that he will not abandon the interests of his sister and nephews, but will employ all his force and power in their behalf until they are restored. This was highly acceptable to the Puritans, who had always the interest of that house at heart. The manifesto was read July 7 †, when the commons declared their approbation of it, and resolved to give his majesty such assistance therein as shall stand with the honour of his majesty, and the interest and affections of his kingdom, if the present treaty does not succeed. The peers concurred in the same vote, and both houses desired the king to recommend it to the parliament of Scotland: which his majesty promised. Many warm speeches were made on this occasion in favour of the queen of Bohemia, by sir Simon D'Ewes, Mr. Denzil Hollis, and sir Benjamin Rudyard ‡. "The restoring the prince to his electorate (says sir Benjamin) will restore the Protestant religion there; it will strengthen and increase it in Germany, which is of great and vast consequence. It will likewise refresh and comfort the heart of that most noble, virtuous, and magnanimously-suffering, queen of Bohemia his majesty's sister, and his highness's mother, who is ever to be highly and tenderly regarded by this house, and by this kingdom."—Mr. Denzil Hollis said, "The house of commons looks upon those distressed princes of so glorious an extraction, with an eye of tenderness, wishing every drop of that princely blood may ever be illustrated with honour and happiness.—To hear that these princes should have their patrimony taken from them, and suffer things so unworthy their birth and relation, is a thing that makes our ears to tingle, and our hearts to rise within

\* Vol. 1. p. 285.

† Rushworth, part 3. vol. 1. p. 310.

‡ Nalson's Collection, p. 326—328, 378.



us.—But there is another motive which has an irresistible operation with us, which is the advancement of Protestant religion.—The Protestant religion and this kingdom must live and die together; and it is madness to suppose the Protestant religion can continue here, if we suffer it to be destroyed and eradicated out of the neighbouring countries.—Religion is the heart of England, and England is the heart of the Protestant religion in all the other parts of Christendom; let us therefore, like wise men, that foresee the evil afar off, rather meet it at a distance, than stay till the Austrian ambition and Popish power come to our door\*.” These were the sentiments of the Puritans in this parliament, with respect to the ancestors of his present majesty, and the Protestant religion. The queen of Bohemia was so sensible of their particular regards for her family, that she returned them her thanks; but the manifesto ended in nothing†.

The commons not being able to come at their intended alterations in the church, while the bench of bishops remained united in the house of peers, formed several schemes to divide them: it was first proposed to set large fines upon both houses of convocation for compiling the late canons, and a bill was brought in for that purpose; but upon better consideration it was thought more effectual for the present, to make examples of those bishops only, who had been the principal movers in that affair; agreeably to this resolution a committee was appointed July 31, to draw up an impeachment against one half of the bench, viz. Dr. Laud archbishop of Canterbury, Dr. Curle bishop of Winchester, Dr. Wright bishop of Coventry and Litchfield, Dr. Goodman, bishop of Gloucester, Dr. Hall bishop of Exeter, Dr. Owen bishop of St. Asaph, Dr. Pierse bishop of Bath and Wells, Dr. Wren bishop of Ely, Dr. Roberts bishop of Bangor, Dr. Skinner bishop of Bristol, Dr. Warner bishop of Rochester, Dr. Towers bishop of Peterborough, Dr. Owen bishop of Landaff‡. The impeachment was of high crimes and misdemeanours, “for making and publishing the late canons, contrary to the king’s prerogative, to the fundamental laws of the realm, to the rights of parliament, and to the property and liberty of the subject; and containing matters tending to sedition, and of dangerous consequence; and for granting a benevolence or contribution to his majesty, to be paid by the clergy of that province, contrary to law.” It was carried up to the lords August 4, by serjeant Wild, who demanded, in the name of all the commons of England, that the bishops might be forthwith put to answer the crimes and misdemeanours above mentioned, in the presence of the house of commons; and that such farther proceedings might be had against them as to law and justice appertained. The commons were in hopes, that the bishops would have quitted their votes in parliament to be discharged of the premunire; but they resolved to abide by their

\* Rushworth, p. 316.

† Ibid. p. 357.

‡ Ibid. part 3. vol. 1. p. 359.

right, and therefore only desired time to prepare their answer, and counsel for their assistance; accordingly they were allowed three months' time to put in their answer, and counsel of their own nomination, viz. serjeant Jermin, Mr. Chute, Mr. Herne, and Mr. Hales\*.

From this time the bishops fell under a general disregard; the cry of the populace was against them, as the chief impediments of all reformation in church and state; and even the temporal peers treated them with neglect, expressing their dislike at the bishop of London being styled Right Honourable. Besides, the lords spiritual were not distinctly mentioned in the bills that passed this session, according to ancient usage; the clerk of the parliament, in reading the bills to the house, turned his back upon the bench of bishops; and when the houses went in a body to church on a fast-day, the temporal barons gave themselves precedence of the bishops. These were the preludes to their downfall, which happened about six months forward, though from this time they were little better than ciphers in the house.

These resolute proceedings against the bishops, put the court upon forming new projects to break up the parliament. It was observed that the strength and courage of the house of commons rose from their confederacy with the Scots, whose army in the north was entirely in their interest; it was therefore resolved in council to detach that nation, if possible, from the parliament, and to bring them over to the king, by yielding every thing they should desire; for this purpose his majesty declared his resolution to the two houses, to visit his native country in person within fourteen days, and desired them to finish the bills which were before them by that time. The commons being aware of the design, and apprehensive of danger, if the king should put himself at the head of the English army in the north, sent away the earl of Holland immediately with money to pay them off, which was done without mutiny or disturbance; but the business of the houses being very urgent, and the time short, they voted, that in this case of great necessity, concerning the peace of the kingdom, they would sit the next day, being Sunday, by six o'clock in the morning; which they did, and having heard a sermon, returned to the house about nine, and sat all day long on the Lord's day, commonly called Sunday [August 8, 1641]. But lest this might be misconstrued as a profanation, or be drawn into example, they published the following declaration†:—

“Whereas both houses of parliament found it fit to sit in parliament upon the 8th of August, being Lord's day, for many urgent occasions, being straitened in time, by his majesty's resolution to go within a day or two to Scotland, they think fit to declare, that they would not have done this but upon inevitable necessity; the peace and safety of both church and

\* Fuller's Church History, book 11. p. 183.

† Rushworth, p. 362. Nalson's Collection, vol. 2. p. 436.



state being so deeply concerned, which they do hereby declare, to this end, that neither any other inferior court or council, or any other person, may draw this into example, or make use of it for their encouragement, in neglecting the due observation of the Lord's day."

The same vote passed the house of lords *nemine contradicente*, and was ordered to be printed.

August 10, his majesty came to the house and gave his assent to a bill concerning knighthood; against the oppressions of the stannary courts; for regulating the clerks of markets; and for confirming and ratifying the peace [or pacification] with the Scots. This last being an affair of great consequence, I shall give the reader an abstract of the treaty, which had been depending ever since November 23, 1640, between the commissioners of both nations, who agreed to the following conclusions [August 7], which the king ratified and confirmed the very day he set out for Scotland.

"That the acts of parliament held at Edinburgh June 2, be published by his majesty's authority, and have in all time to come the full strength of laws.

"That the castle of Edinburgh, and other forts of Scotland, should be furnished and used for the defence of the kingdom, with the advice of the states of parliament.

"That all those who in England or Ireland have been imprisoned, or otherwise censured for subscribing the covenant, and for refusing to take the oath contrary to the same, shall be released and freed from such censures; and for the time to come, the subjects of Scotland living in Scotland, shall not be obliged to any oaths contrary to the laws or religion of that kingdom; but if they come to reside in England or Ireland, they shall be subject to the laws as others are.

"That all his majesty's courts of justice shall be free and open against all evil counsellors and delinquents; that the parliament of Scotland shall have liberty to proceed against such; and that his majesty will not employ any person, in any office or place, who shall be judged incapable by sentence of parliament; nor make use of their service, nor grant them access to his royal person, without consent of parliament.

"That all ships and goods on both sides be restored, and that 300,000*l.* be given to the Scots by the English, for their friendly assistance and relief.

"That all declarations, proclamations, &c. that have been published against the loyalty and dutifulness of his majesty's subjects of Scotland be recalled and suppressed; and that at the close of the treaty of peace, the loyalty of his majesty's said subjects shall be made known at the time of public thanksgiving in all places, and particularly in all parish-churches, of his majesty's dominions.

"That the garrisons of Berwick and Carlisle be removed, and

all things be reduced to the state they were in before the late troubles.

"Whereas unity in religion, and uniformity in church-government, have been desired by the Scots, as a special means for preserving the peace between both kingdoms, his majesty, with the advice of both houses of parliament, doth approve of the affection of his subjects in Scotland, in their desire of having a conformity of church-government between the two nations. And as the parliament hath already taken into consideration the reformation of church-government, so they will proceed therein in due time, as shall best conduce to the glory of God, the peace of the church, and both kingdoms.

"That the prince of Wales shall be permitted to repair into Scotland, and reside there, as there shall be occasion.

"That his majesty will give ear to the informations of parliament, and when that is not sitting, to the council and college of justice, so far as to make choice of some one of such, as they, by common consent, shall recommend to places of trust in the council, the session, and other judicatures. Or if his majesty shall think any other person fit, he shall acquaint his parliament, to the intent, that if by their information any just exception shall be made to the said person, his majesty may nominate another.

"That some noblemen, &c. of the Scots nation, shall be placed about the king; and that his majesty will endeavour to give just satisfaction to his people, with regard to his placing none but persons of the reformed religion about his own and the prince's person."

Then follows an act of oblivion, with exception to the Scots prelates, and four others; and in the close the ratification of the whole in these words:—

"Be it enacted by his majesty, with the assent of the lords and commons in this present parliament assembled, that the said treaty, and all the articles thereof, be and stand for ever ratified and established, and have the force, vigour, strength, and authority, of a law, statute, and act of parliament.—And his majesty for himself and his successors promises, in *verbo principis*, never to come in the contrair of this statute and sanction, nor any thing therein contained, but to hold the same in all points firm and stable, and cause it to be truly observed, according to the tenor and intent thereof, now and for ever.—And the parliaments of both kingdoms respectively give full assurance, and make public faith, for the true and faithful observation of this treaty, &c. *hinc inde*, in all times to come."

Bishop Burnet very justly observes a collusion in the king's approving the desire of his Scots subjects for uniformity of church-government. His majesty wished it as much as they, but with a very different view; the king was for bringing them to the English standard, whereas the Scots intended to bring the English to theirs. However, his majesty was resolved to contradict



them in nothing, that he might break the confederacy between the two nations; for lord Saville had now informed him of the correspondence of some of the English nobility with the Scots, which encouraged them to raise an army and march to the borders. He had shown him a copy of the letter, with the forged names of Essex, Bedford, Mandeville, and others, exciting them to assert the liberties of their church and nation, and promising all the assistance they could give with safety to themselves. His majesty therefore resolved to gain over the Scots, that he might be at liberty to prosecute the inviters, and recover his prerogative in England, which he knew he could accomplish by the assistance of the Irish, if the English Puritans were left to themselves. The parliament were aware of the design, and therefore appointed one lord and two commoners to follow his majesty to Scotland, in order to keep up a good correspondence with the parliament of that nation, and to exhort them, since they had gained their own liberties by the assistance of the English parliament, not to desert them till the English also had recovered theirs.

The king set out post August 11, 1641, and arrived at Edinburgh in three or four days. The parliament met August 19, when his majesty acquainted them in a most gracious speech, that the end of his coming into his native country, was to quiet the distractions of the kingdom, "and this I mind (says his majesty) fully and cheerfully to perform, for I assure you, I can do nothing with more cheerfulness than to give my people general satisfaction; wherefore not offering to endear myself to you in words, which is not my way, I desire in the first place to settle that which concerns religion, and the just liberties of this my native country, before I proceed to any other act\*." Accordingly his majesty allowed of their late proceedings in opposing the English liturgy, and erecting tables in defence of their liberties; he confirmed the acts of their assembly at Glasgow, which declared, that "the government of the church by archbishops and bishops was contrary to the word of God, and was therefore abolished." The reverend Mr. Henderson waited on the king as his chaplain, and was appointed to provide preachers for him while he was in that country, his majesty having declared, that he would conform to their manner of worship while he was among them. Mr. Henderson had the rent of the royal chapel; Mr. Gillespie had a pension, and the professors of the several universities had their provisions augmented, by the revenues formerly belonging to the bishops. His majesty conferred titles of honour upon many of their gentry; and all parties were so well pleased, that it was said, when his majesty left the kingdom, that he departed a contented king from a contented people.

No sooner was the king returned but the English bishops reproached his majesty with his concessions, especially for admitting

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\* Rushworth, part 3, vol. 1. p. 382.

"the English hierarchy to be contrary to the word of God." They told him he had unravelled the web which his father and himself had been weaving in that country for above forty years, and instead of making the Scots his friends, he had only created a new thirst in the English parliament to follow their example. These remonstrances had such an influence upon the unhappy king, that he repented heartily of what he had done, and told Dr. Saunderson afterward bishop of Lincoln, when he was in the Isle of Wight, that two errors did much afflict him, his consenting to the earl of Strafford's death, and his abolishing episcopacy in Scotland; and that if God should ever restore him to the peaceable possession of his crown, he would demonstrate his repentance by a public confession and a voluntary penance (I think says the doctor) by going barefoot from the Tower of London, or Whitehall, to St. Paul's, and desiring the people to intercede with God for him. This shows how much superstition still remained in his majesty's make and constitution, when he could imagine, the going barefoot through the streets could atone for his mistakes; and how little dependence was to be had upon his promises and declarations; that even in the year 1648, when the necessity of his affairs obliged him to consent to a uniformity of presbyterian government in both nations, he could declare in private to his chaplain, that "if he was ever restored to his throne, he would do public penance for abolishing episcopacy in Scotland." Upon the whole, the king's journey into his native country did him no service; for though the Scots were pleased with his majesty's concessions, they durst not depend upon them as long as he was under the direction of the queen and the English bishops, and they continued to think themselves obliged from gratitude, affection, and interest, to cultivate a good understanding with the English parliament, and to assist them in recovering their religion and liberties.

Upon the day of thanksgiving for the pacification between the two nations [September 7], bishop Williams dean of Westminster, without any direction from his superiors, composed a form of prayer for the service of the day, with which the house of commons were offended, and came to this resolution, "that the bishop of Lincoln had no power to set forth any prayer to be read on the public thanksgiving; and that no minister is obliged to read the said prayer; and the house is of opinion and doth order, that the said prayer be not read in the liberties of Westminster, or elsewhere \*." Dr. Burges and Mr. Marshall preached before the commons, and read the following order, appointed by both houses to be published in all the churches throughout England, with his majesty's consent.

"Whereas according to the act of this present parliament, for confirmation of the treaty of pacification, it was desired by the commissioners of Scotland, that the loyalty and faithfulness of his

\* Nalson's Collection, vol. 2. p. 476, 477.



majesty's subjects [of Scotland] might be made known at the time of thanksgiving, in all places, and particularly in all parish-churches of his majesty's dominions ; which request was graciously condescended to by his majesty, and confirmed by the said act : it is now ordered and commanded by both houses of parliament, that the same be effectually done in all parish-churches throughout this kingdom, on Tuesday, September 7, at the time of the public thanksgiving, by the respective ministers of each parish, or their curates, who are hereby required to read this present order in the church."

The order being read, the ministers declared, that notwithstanding all which had passed in the late commotions, the Scots nation were still his majesty's faithful and loyal subjects. Thus as the calling and continuance of an English parliament, after twelve years' interval, was owing to the marching of the Scots army into the north of England, it was by the powerful support and assistance of that parliament, and the expense of a million of money, that the Scots obtained the present pacification, with the full recovery of their kirk discipline and civil liberties.

In the midst of this ferment of the spirits of men, the workings of opposite counsels, and the taking the sword out of the hands of the spiritual courts, it is not to be wondered that the state of religion was unsettled, and that men began to practise with some latitude in points of ceremony and forms of worship. It has been observed, that in the beginning of the year, the house of commons had ordered commissioners to be sent into all the counties of England, for removing the late innovations. June 28, it was further ordered, "that neither university should do reverence to the communion-table." And August 31, "that the churchwardens of the several parishes shall forthwith remove the communion-table from the east end of the churches where they stand altarwise, and take away the rails and level the chancels, as before the late innovations." Upon complaint of the want of sermons, and that the incumbents in many places would not admit preachers into their pulpits, though the parish maintained them, it was ordered, June, 14, "that the deans and chapters of all cathedrals be required, and enjoined, to suffer the inhabitants to have free liberty to have a sermon preached in their cathedrals every Sunday in the afternoon." July 12, ordered, "that in all parochial churches where there is no preaching in the afternoon, if the parishioners will not maintain a conformable lecturer at their own charge, the parson or vicar shall give way to it, unless he will preach himself." September 6, ordered, "that it be lawful for the parishioners of any parish to set up a lecture, and to maintain an orthodox minister at their own charge, to preach every Lord's day where there is no preaching, and to preach one day every week where there is no weekly lecture\*." But notwithstanding these votes, some bishops

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\* Nalson's Collection, vol. 2. p. 288, 383, 457

inhibited preaching on Sundays in the afternoon; and in particular Dr. Montague, bishop of Norwich, upon which the commons voted, "that his lordship's inhibition of the reverend Mr. Carter to preach in his own parish-church, was void; and that every minister may preach in his own parish-church as often as he pleases."

Many petitions being sent from divers counties for preaching ministers, a committee of forty members of the house, called the committee for preaching ministers, was appointed to send ministers where there were vacancies, and to provide for their maintenance\*. These gentlemen recommended many of the late silenced ministers, as, the reverend Mr. Case, Mr. Marshall, Sedgwick, Burroughs, whom some of the vicars refused to admit into their pulpits, or at least dissuaded their parishioners from hearing them, upon which some of them were required to attend the committee; and because great complaints were made to the house, of the idleness and viciousness of the country clergy, another committee was appointed to examine into such complaints, and was called the committee for scandalous ministers†.

The day before the recess of the parliament [September 8, 1641], it was resolved by the commons, "that the Lord's day should be duly observed and sanctified; that all dancing, or other sports either before or after divine service, be forborne and restrained; and that the preaching God's word be promoted in the afternoon, in the several churches and chapels of this kingdom; and that ministers and preachers be encouraged thereunto. The chancellors of the two universities, the heads of colleges, all patrons, vicars, and churchwardens, are to make certificate of the performance of these orders; and all defaulters to be returned to parliament before the 30th of October next.—Ordered farther, that

\* Clarendon, vol. 1. p. 295.

† "By 'scandalous ministers' (says Dr. Grey) no more was meant than the being truly orthodox, truly conformable to the rules and orders of the church, and faithful and obedient subjects to his majesty." It is sufficient to oppose to this round assertion of Dr. Grey, an authority not to be controverted, that of Fuller, *Church History*, b. 11. p. 207. He informs us, that some of the clergy were outed for their affection to the king's cause merely, and many were charged with delivering false doctrines, whose positions were found at the least disputable: and urges, that many of the complainers were factious people, and the witnesses against the clergy seldom deposed on oath; yet, after these deductions, he allows that many outed for their misdemeanours; and adds, "some of their offences were so foul, it is a shame to report them, crying to justice for punishment." He appears indeed, to have his doubts, whether their crimes were sufficiently proved; for if the proof were perfect, the persons ought to have lost their lives, and not their livings only. This is, however, a proof against Dr. Grey's unlimited assertion, that in many instances the imputation of scandalous crimes, supported by considerable evidence at least, was the ground of proceeding. Mr. Baxter tells us, that it was no sooner understood, that the committee was formed, than multitudes in all counties came up with petitions against their ministers. Two hundred of the names of scandalous ministers, their places, and articles proved against them, were published by Mr. White, the chairman of the committee: and moderate men were grieved to see so much ignorance, and such gross immoralities exposed to the derision of the world. And yet Dr. Grey could say, that scandalous ministers meant no more than the loyal and orthodox. *Baxter's Life*, part 1. p. 19, folio.—Ed.



all crucifixes, scandalous pictures of any one or more persons of the Trinity, and all images of the Virgin Mary, shall be taken away and abolished; and that all tapers, candlesticks, and basins, be removed from the communion-table.—That all corporal reverences at the name of Jesus, or towards the east end of the church, chapel, or chancel, or towards the communion-table, be forborne\*.” These orders to be observed in all cathedral and collegiate churches and chapels, in the two universities, by the respective officers and ministers of these places, and by the readers and benchers of the inns of court†.

The house of lords consented to some of these resolutions, but not to all. They agreed in their committee, “that no rails should be placed about the communion-table, where there were none already, but not to the pulling down all that were set up; and that all chancels raised within fifteen years past should be levelled; that images of the Trinity should be abolished, without limitation of time; and all images of the Virgin Mary erected within twenty years past‡.” But as for bowing at the name of Jesus, they insisted that it should be left indifferent. So that when the question was put, to agree or not agree with the resolutions of the commons, it passed in the negative, eleven against nine. The commons therefore published their resolutions apart, and desired the people to wait patiently for the intended reformation, without any disturbance of the worship of God, and of the peace of the kingdom. Upon which the lords in a heat appointed their order of Jan. 19, 1640—1, already mentioned, to be reprinted§, “that divine service should be performed as it is appointed by act of parliament; and that all who disturb that wholesome order shall be severely punished according to law. That all parsons, vicars, and curates, in their several parishes, do forbear to introduce any rites or ceremonies that may give offence, otherwise than those that are established by the laws of the land.” This was voted by twelve of the lords present, the other six entering their protest||; after which both houses adjourned for six weeks. Mr. Rapin observes¶, that there seems no necessity for the lords to renew this order; and that it was done out of spleen and revenge, because the commons had made a declaration against innovations, and it was not doubted but the bishops were the chief authors of it.

Lord Clarendon represents the putting these orders of the house of commons in execution, as a transcendent presumption, and a breach of the privilege of the house of lords; and though in one place his lordship acknowledges, that little or nothing of moment was done in pursuance of the orders of the two houses, yet upon this occasion he says\*\*, “that seditious and factious persons caused

\* Nalson's Collection, vol. 2. p. 482. † Rushworth, part 3. vol. 1. p. 386.

‡ Ibid. p. 482, 483.

§ Rushworth, part 3. vol. 1. p. 387. Clarendon, vol. 1. p. 293.

|| Nalson's Collection, vol. 2. p. 485.

¶ Vol. 2, p. 382, folio.

\*\* Clarendon, vol. 1. p. 29.

the windows to be broken down in churches, tore away the rails, removed the communion-tables, and committed many insolent and scandalous disorders, and that if any opposed them they were sent for before the committee." But the fairest account of this matter may be gathered from Mr. Pym's report to the house at their first meeting after the recess.

"The committee of religion (says he) have sent down divers of your declarations into the country, and have found that in some places where there were good ministers they were retained, and in other places neglected. We cannot say there have been any great tumults, though the execution of the orders of the house has occasioned something tending that way. In some parishes they came to blows, and in others they would have done the like, if care had not been taken to prevent it. At St. Giles's Cripplegate, the parishioners were almost at daggers drawing about the rails of the communion-table, which they would not suffer to be removed. The like opposition was made to the orders of the house at St. George's Southwark, St. Mary's Woolnoth, St. Botolph Aldersgate and a few other places; but in most places they were quiet."

If the innovations complained of were according to law, neither lords nor commons had authority to remove them, for in a time of public peace and tranquillity a vote of parliament cannot suspend or set aside the laws; but if they were apparently contrary to law, I do not see why either house of parliament, or even the parishioners themselves, by a vote of their vestry, might not order them to be taken away. Remarkable are the words of of sir Edward Deering to this purpose; "The orders of the house (says he) are, doubtless, powerful, if grounded upon the laws of the land; upon this warrant we may, by an order, enforce any thing that is undoubtedly so grounded; and by the same rule we may abrogate whatsoever is introduced contrary to the undoubted foundation of your laws; but we may not rule and govern by arbitrary and disputable orders, especially in matters of religion\*."

The lords disapproved of the tumultuous attempts of private persons, and punished them severely. Complaint being made by the inhabitants of St. Saviour's Southwark, of certain persons who had pulled down the rails of the communion-table in an insolent and riotous manner, they were sent into custody, and having been heard by their counsel at the bar of the house, the churchwardens of the parish were ordered to set up new rails, at the costs and charges of the offenders, in the manner they had stood for fifty years before, but not according to the model of the four or five last years†. The rioters also were enjoined to make a public confession of their fault in the body of the church on a sabbath-day when the congregation should be present, and to stand committed to the Fleet, during the pleasure of the house‡. Upon another complaint of the parishioners of St. Olave's Southwark, against

\* Rushworth, vol. 1. part 3. p. 391. † Nalson's Coll. vol. 2. p. 271. 322.

‡ Nalson's Collection, vol. 2. p. 291, 292.



others that had made a tumult in their church, and used irreverent speeches during the administration of the sacrament; the delinquents were sent into custody, and after hearing they were committed to the King's-bench for six months, without bail or mainprize; and ordered to stand upon a high stool in Cheapside and in Southwark, for two hours on a market day, and to acknowledge their fault publicly: They were also fined 20*l.* and to find sureties for their good behaviour; but when they had been imprisoned about a month, upon their humble petition, and acknowledgment of their misdemeanours, they were released\*.

If we may give credit to the petition from Canterbury, things were every where in great confusion; for it says, "that the religion and government by law established, has been of late most miserably distracted by ill-affected persons, by whose means the houses of God are profaned, and in part defaced; the ministers of Christ are contemned and despised; the ornaments, and many utensils of the church are abused; the liturgy and Book of Common Prayer depraved and neglected; that absolute model of prayer, the Lord's prayer, vilified; the sacraments of the gospel, in some places, rudely administered, in other places omitted; solemn days of fasting observed, and appointed by private persons; marriages illegally solemnised; burials uncharitably performed; and the very fundamentals of religion subverted by the publication of a new creed, and teaching the abrogation of the moral law; many offensive sermons are preached, and many impious pamphlets printed." Lord Clarendon says†, that the pulpits were supplied with seditious and schismatical preachers. That in order to poison the hearts of the king's subjects, care was taken to place such ministers and lecturers in the most populous towns and parishes, as abhorred the present government and temperature of the church and state;" and then adds, "I am confident there was not from the beginning of this parliament, one orthodox or learned man recommended by them to any church in England." Strange! when scarce one was recommended who had not been educated in our universities, and subscribed all the doctrinal articles of the church of England! But his majesty's language is more severe in his declaration of August 12, 1642. "Under pretence of encouraging preaching (says he) they have erected lectures in several parishes, and commended such lecturers as were men of no learning nor conscience, but furious promoters of the most dangerous innovations; many have taken no orders, yet were recommended by members of either house to parishes: and when mechanic persons have been brought before them for preaching in churches, and have confessed the same, they have been dismissed without punishment, and hardly with reprehension. All persons of learning and eminency in preaching, and of sober and virtuous conversation; of great examples in their lives, and even

\* Nalson's Coll. vol. 2. p. 395.

† Vol. 1. p. 295.

such as among these men had been of greatest estimation, and suffered somewhat for them, were discountenanced, and such men cherished who boldly preached against the government of the church, against the Book of Common Prayer, against our kingly lawful power, and against our person. Farther, a licence even to treason is admitted in pulpits, and persons ignorant in learning and understanding, turbulent and seditious in disposition, scandalous in life, and unconformable in opinion to the laws of the land, are imposed upon parishes, to infect and poison the minds of our people."—

What character the parliament-divines had for learning, for orthodoxy of doctrine, and sobriety of manners, will appear hereafter. The commons in their reply to his majesty's declaration, denied the whole of this charge, and averred, "that they were careful in their inquiries into the learning and morality of those whom they recommended; that they were not for encouraging faction and schism, but for preferring those who were for a parliamentary reformation in the church and state. That they had shewn their resentments against mobs and tumults, and against the preaching of laymen\*;" for when they were informed that Mr. Robinson, Spencer, Banks, Durant, and Green, being mere laymen, had presumed to preach publicly, they sent for them [June 7], and reprimanded them by their speaker in these words; "The house has a great distaste of your proceedings; and if you offend at any time in the like kind again, this house will take care you shall be severely punished."

Far be it from me to apologise for the furious preachers of these times; though it will appear hereafter, that the complaints of the royalists are very much exaggerated. It was certainly a great disadvantage to the parliament's cause, that they could not get a good supply of learned and able preachers, the keys of admission into holy orders being at this time in the hands of the bishops, who were very strict in their examination into the political principles of those they ordained; this reduced the committee to the necessity of admitting some few who came well recommended from New England or Scotland, and had been only ordained by presbyters; and such young students, who, producing their testimonials from the universities, were allowed to preach for some time as candidates. They were under the like disadvantages as to presentations or inductions, most of them being in the hands of the king and the bishops.

The archbishop of Canterbury continued to ordain clergymen of his own principles in the Tower; whereupon the house of lords ordered [October 28], that his jurisdiction should be sequestered, and administered by his inferior officers, till he should be acquitted of the charge of high treason that was against him. His grace often admitted such clergymen to livings as were obnoxious to the

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\* Nalson's Coll. vol. 2. p. 265, 270.



two houses, insomuch that the lords found it necessary to enjoin him to acquaint their house with the names of such persons as he nominated to any ecclesiastical benefice, promotion, or dignity, within his disposal, to be approved of first by the house, before they were collated or instituted. On the other hand, when a minister was chosen by the parishioners, and recommended to his grace for admission, if he did not like his principles and character, he would either except against him, or suffer the living to lapse to the crown. This created him new enemies, and kept alive the resentments of the commons. At length the archbishop acquainted the king with his case, who sent him a peremptory letter, requiring him "that as often as any benefice, or other spiritual promotion, should become void within his gift, to dispose of it only to such persons as his majesty should nominate; and that if either or both houses should command him otherwise, he should then let it fall in lapse to the crown." As soon as the houses were acquainted with this, they published an order of their own, requiring the archbishop to dispose of no benefice or spiritual promotion that should become void at any time before his trial, without the leave and order of the two houses at Westminster. Such was the struggle between the king and parliament for the pulpits! It being thought of great consequence on both sides, to fill them with men of their own principles, who would be zealous in the cause in which they were severally engaged.

All the bishops were under a cloud, and in no degree of favour either with the parliament or people, except the bishop of Lincoln, who, having some years been in prison, had no share in the late innovations. This prelate, in the recess of parliament, visited his diocese; and exhorted the people in his sermons to keep to their lawful minister, and not go after tub-preachers in conventicles. He acquainted them with the laws, and told them that no power could protect them from the penalty of statutes unrepealed. "Look back (says his lordship) from the beginning of queen Elizabeth. Can the gospel stand better against the church of Rome, than it has done under the bishops, liturgy, and canons? Therefore don't abandon the good old way, for another which you do not know how much evil may be in it." But his rhetoric had very little effect; nor did the parliament approve of his conduct, at a time when his majesty was out of the kingdom, and when it was resolved to attempt some considerable alterations in the hierarchy.

The distractions in the state were no less threatening than those of the church. The plague was in the city of London, which dispersed the members, so that they could hardly make a house. The disbanding the army infested the roads with highwaymen, insomuch that it was hardly safe to travel from one town to another. The officers (many of whom were Papists) crowded to London, and took lodgings about Covent-garden and Whitehall, under pretence of receiving the remainder of their

pay; these behaved with unusual insolence, and struck terror into the minds of the people. The mob was frequently up in one part of the town or another; one while they threatened the pope's nuncio, and another while the queen-mother, upon which they retired out of the kingdom; but the queen herself stood by her friends; she had a convent of capuchins in her court, and protected great numbers of the king's subjects and others, from the sentence of the laws. The lord-mayor was commanded to bring in a list of Popish recusants about London; and all the Papists in the several counties were ordered to be disarmed; "which though it had little or no effect (says lord Clarendon \*), served to keep up fears and apprehensions in the people of dangers and designs;" which will appear presently not to have been groundless. This was the melancholy state of the nation, when on a sudden it was thunderstruck with the surprising news of one of the most barbarous massacres of the Protestants in Ireland, that the records of any age or nation can produce.

Lord Clarendon is of opinion, that the parliament, instead of adjourning, should now have broken up and returned home, since the principal grievance of church and state had been redressed, and the constitution secured by the act for triennial parliaments. But not to trouble the reader with affairs of state; what religious grievances were actually redressed? except the shortening the power of the spiritual courts, by the acts for abolishing the court of high-commission and star-chamber? not one of the late innovations was abolished by law; nor was there any alteration in the liturgy, or form of church-government. The sole power of the bishops in ordination and jurisdiction remained to be regulated; nor was there any reformation of deans and chapters; all which the puritans hoped for and expected. In short, the whole government of the church remained entire, notwithstanding the fierce attacks of the commons against it. The act for triennial parliaments will appear not to have been a sufficient security to the constitution, if we consider how many acts of parliament the king and his arbitrary ministers had broke through the last fifteen years; that his majesty had still the same principles, and was likely to be in the same hands upon the dissolution of this parliament. Besides, it was said that these laws had been extorted from him by force, and therefore were not binding; and if a parliament should be called after three years, that it was dissolvable at pleasure; so that in all probability things would have returned to the old channel if the parliament had now dissolved themselves. Supposing therefore, but not admitting, that the principal grievances of church and state had been redressed, I leave it with the reader, whether in the present situation of affairs, a mere redress of past grievances was sufficient without some security against the return of the like in time to come.

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\* Vol. 1. p. 290.



Among the remarkable divines who died about this time was Dr. John Davenant bishop of Salisbury, born in London, and educated a fellow-commoner in Queen's college, Cambridge, of which he was afterward master, and lady Margaret professor in the same university. He was a celebrated Calvinist, and one of those divines appointed by king James to represent the church of England at the synod of Dort, where he behaved with great prudence and moderation; and upon his return to England was preferred to the bishoprick of Salisbury; but in the beginning of the reign of king Charles he became obnoxious to the court, for venturing to preach on the doctrine of predestination, contrary to his majesty's declaration, and was forced to make his submission before the privy-council. He was a quiet and peaceable prelate, humble and charitable, a strict observer of the sabbath, an enemy to the pomp and luxury of the clergy, and one who lamented the high proceedings of the court. He had a great reputation in foreign parts for profound learning, and an unblemished life; and after he had enjoyed his bishoprick about twenty years, ended his days in peace and honour, April 20, 1641, a little before the beginning of the troubles that afterward came upon the church and kingdom.\* He died of a consumption, and a few hours before his death prayed pathetically for a quarter of an hour, "blessing God for his fatherly correction, forasmuch as his whole life having been full of mercy, he had been ready to doubt, whether he was a true child of God till this last sickness."†

Dr. Richard Montague, bishop of Norwich, was a divine of a different character; he was born in Westminster, educated in Eaton-college, and afterward fellow of King's college. Mr. Fuller says he was a celebrated Grecian, and church antiquary, well read in the fathers, but a superstitious admirer of church-ceremonies.‡ He was a thorough Arminian, a creature of archbishop Laud's, and an ill instrument between the king and parliament in the late times, and therefore voted unfit for any church-preferment; but when the king resolved to govern without parliaments, his majesty preferred him first to the bishoprick of Chichester, and then to Norwich, where he showed his zeal for the church, by a vigorous and illegal prosecution of the Puritans. He was accused by the present parliament, for superstitious innovations; and would no doubt have felt their resentments, if

\* Fuller's Worthies, b. 2. p. 207; and Church History, b. 11. 176.

† This eminent and worthy prelate was a benefactor to Queen's college in Cambridge; giving to it the perpetual advowsons of the rectories of Cheverel-Magna and Newton-Tony in Wiltshire, and a rent-charge of 31*l.* 10*s.* per annum for the founding of two Bible clerks, and buying books for the library in the same college. Biogr. Britan. vol. 4. second edit. p. 631.—Ed.

‡ Fuller's words, as Dr. Grey observes, are, "but all his diocess being not so well skilled in antiquity as himself, some charged him with superstitious urging of ceremonies." He is allowed to have urged ceremonies; but according to Fuller and Dr. Grey, that is not superstition, though they may be unauthorized by Scripture, if they be sanctioned by antiquity.—Ed.

he had not gone, as Mr. Fuller expresses it\*, a more compendious way, to answer for all his proceedings in the high court of heaven. He died April 12, 1641.

The Rev. Mr. John Eaton, M.A. and vicar of Wickham-Market; was born in Kent 1575, and of a peculiar mould, says Mr. Echard †, very paradoxical in his opinions, and reckoned a great Antinomian, and one of the founders of that sect, for which he more than once suffered imprisonment. His chief performance was a book entitled, "The honeycomb of free justification by Christ alone;" for which he was imprisoned in the Gate-house at Westminster. Mr. Echard admits, that by means of his zeal, his exemplary patience, and piety, he was exceedingly admired in the neighbourhood where he lived, and strangely valued for many years after his death. In truth, though he committed some mistakes in his assertions about the doctrine of grace, he was nevertheless, says Mr. Archdeacon, a pattern of faith, holiness, and cheerfulness, in his sufferings, to succeeding generations. He died in the sixty-seventh year of his age.

## CHAPTER X.

FROM THE REASSEMBLING OF THE PARLIAMENT, TO THE KING'S LEAVING HIS PALACE OF WHITEHALL, JANUARY 10, 1641—2.

BEFORE his majesty left Scotland, advice came to London [November 1] of a general insurrection of the Papists in Ireland, and of a most cruel and bloody massacre of the Protestants of that kingdom. ‡ The project of an insurrection was formed in the months of March and April 1641, not without the privity of the English court, and executed October 23 following; no information of it having been given to the Protestants till the very night before it was to take place, when it was too late to prevent the effects of it in the country, and almost to save the city of

\* Book 11. p. 194.

† Ath. Ox. vol. 2. p. 1—6.

‡ A fair judgment of this horrid affair, it may be observed, cannot be formed without considering it in connexion with the causes that led to it. It should be viewed as the result of various circumstances, which for a course of years had irritated the minds of the Irish, and at last raised them to a pitch of frenzy and cruelty, of which we cannot read without being shocked at the recital. The Irish had been pursued with a constant, rigorous, and unremitting persecution. They had suffered extortions, imprisonments, and excommunications. Their estates had been seized under the pretext of a judicial inquiry into defective titles, in which inquiry verdicts against them were extorted from jurors. They had been heavily taxed for their superstitions, and totally precluded the exercise of their religion. Their application to Charles I. for a toleration had been scornfully rejected, in consequence of a protestation against it, drawn up by the primate Usher, and twelve bishops. The detail of their sufferings may be seen in "Jones's letter to the united societies of Belfast." By which it will appear, that from the Reformation they had been the religious persecution and civil devastation; as, to use the author's words, stify, but certainly to extenuate, the dreadful ensuing period of 1641.



Dublin itself. When the express that brought the news was read in the house, it produced a general silence for a time, all men being struck with horror. When it was told without doors it flew like flashes of lightening, and spread universal terror over the whole kingdom. Every day and almost every hour, produced new messengers of misery, who brought farther intelligence of the merciless cruelty of the Papists towards the poor Protestants, whose very name they threatened to extirpate out of the kingdom.

On the day appointed, between twenty and thirty thousand of the native Irish appeared in arms in the northern counties, and having secured the principal gentlemen, and seized their effects they murdered the common people in cold blood, forcing many thousands to fly from their houses and settlements naked, into the bogs and woods, where they perished with hunger and cold. No ties of friendship, neighbourhood, or consanguinity, were capable of softening their obdurate hearts, in a cause which they called "the cause of loyalty and religion." Some they whipped to death; others they stripped naked and exposed to shame, and then drove them, like herds of swine, to perish in the mountains; many hundreds were drowned in rivers; some had their throats cut; others were dismembered. With some the execrable villains made themselves sport, trying who could hack deepest into an Englishman's flesh. Husbands were cut to pieces in the presence of their wives; wives and young virgins abused in the sight of their nearest relations; nay, they taught their children to strip and kill the children of the English, and dash out their brains against the stones. Forty or fifty thousand were massacred after this manner in a few days, without distinction of age, sex, or quality, before they suspected their danger, or had time to provide for their defence. In a few weeks the insurrection was so general, that they took possession of whole counties, murdering the inhabitants, plundering their houses, and killing or driving away their cattle. Multitudes of poor distressed creatures and families fled naked and half starved, first to Dublin, and from thence to England, with death and despair in their countenances. At length the Irish army having ravaged all the northern counties, blocked up the city of Dublin itself, with all the poor distressed Protestants who had taken sanctuary in it; but not being masters of the sea, the city was relieved, and part of the country secured, till the parliament was at leisure to pour out all their vengeance upon the heads of the murderers, by the hands of the victorious and terrible Oliver Cromwell.

The frequent expresses which pressed one after another to England, with the multitudes of distressed creatures that got passage into several parts of the kingdom, filled the hearts of all true Protestants with infinite conjectures, and prodigious imaginations of treasonable designs against this as well as the neighbouring kingdom. They were afraid, and not without reason,

that a second part of this tragedy might be acted on themselves; the parliament therefore ordered themselves a guard of trainbands, and entered immediately into measures to secure the nation from the impending storm.

But before we dismiss the Irish insurrection and massacre, it will not be improper to trace it from its original, and inquire into the authors, and the several parties concerned in it. The earl of Antrim, and sir Phelim O'Neal, who were at the head of the Irish Catholics, having acquainted the pope's nuncio, and some of the priests about the queen, how easily they could assume the government of Ireland, and assist the king against the English Puritans, letters were written in the queen's name, and perhaps in the king's\*, authorizing them to take up arms, and seize the government†. The Irish received the orders with pleasure; and concluded farther among themselves, that it was necessary at the same time to extirpate the Protestants out of that kingdom before they could with safety transport their army into England. That this was their design, appears from their remonstrance, published upon the very day of the insurrection, in which they say, "that having some liberty of religion granted them by the king, they perceived the parliament was wresting his majesty's prerogative from him, in order to extinguish their religion; therefore to support his majesty's prerogative, and to confirm his royal and ever happy love to them, they had taken up arms; and accordingly bound themselves to one another by the following oath:

"That they would maintain the Roman-Catholic religion; that they would bear true faith and allegiance to the king and his heirs, and defend him and them with their lives and estates, against all persons that should endeavour to suppress the prerogative, or do any acts contrary to regal government, to the power and privilege of parliaments, and to the rights and privileges of the subject."

They called themselves the queen's army, and published a proclamation from their camp at Newry, declaring that they acted by the king's commission, under the great seal of Scotland, dated at Edinburgh October 1, 1641, and by letters under his sign manual, of the same date with the commission: which I believe, with lord Clarendon, was a forgery; though it is a little unaccountable, that his majesty should never, by any public act or declaration of

\* Dr. Grey is severe in his animadversions on Mr. Neal's insinuation, that the English court and even the king were privy to the Irish insurrection. Bishop Warburton, on the same ground, has impeached our author's candour and impartiality: our reply to whom, in the two following notes, will serve as an answer to Dr. Grey. I will add here, that Mr. Baxter says, "that the soberer part could not believe that the Irish rebels had the king's commission." His *Life*, p. 29, folio. A deed was passed on the credulous with that name, by affixing to it the great seal taken off from some grant or patent. The distinction which Mr. Neal afterward makes between the insurrection and the massacre, is justified by what bishop Burnet in a passage quoted in the beginning of the paragraph, where this distinction is made. Rushworth's Collection, part 3. vol. 1. p. 402.—Ed. ynné's Introduction, p. 220—252. Burnet's History, Life, and Times, vol. 1. Edinburgh edit. Rushworth, vol. 4. p. 398, &c.



his own, clear himself of so vile a calumny. However, though the king gave out no commission, there is too much reason to believe \*, that the queen and her Popish council, and even the king himself, were not unacquainted with the design of an insurrection before it took place; and that her majesty gave it all the countenance she could with safety; but when these bloody butchers overacted their parts to such a degree, as to massacre near two hundred thousand Protestants in cold-blood, to make way for their tyranny, it was time for all parties to disown them.

Bishop Burnet observes, "that in the first design of an insurrection there was no thought of a massacre; this came into their heads as they were contriving methods of executing it; and as the people were governed by the priests, these were the men that set on the Irish to all the blood and cruelty that followed." There was a consultation at the Abbey of Multiernan in the county of West-Meath, where it was debated, what course should be taken with the Protestants; some were for expelling them, as the king of Spain did the Moors; others pressed to have them universally cut off; but not coming to a conclusion they left the army to act at discretion †. How far the pope's nuncio and the queen's council might be consulted about the massacre is a secret: if we distinguish between the insurrection, in order to assume the government into the hands of the Irish Papists, and the massacre which attended it, we may conclude without any breach of charity, that the English court admitted of the former, though they might wash their hands of the latter.

The parliament, in their declaration of March 9, 1641, say that the rebellion in Ireland was framed and contrived in England, and that they had taken several depositions, proving, that the English Papists were to rise about the same time §; that the rebels said they acted by the king's authority: that they called themselves the queen's army, and declared, that "their purpose was to come to England after they had done in Ireland, to recover the royal prerogative, wrested from him by the Puritan faction in the house of commons." Mr. Pym declared in parliament, that several disbanded officers and soldiers of the king's army went

\* Bishop Warburton taxes the following insinuations against the king as being "certainly very unjust and groundless." The reader will observe, that Mr. Neal's insinuations go no farther than that the king was acquainted with, if he did not encourage, the design of the Irish to appear in arms. He by no means charges him with consenting or being privy to the massacre. As to the hand he had in the rebellion, two modern historians have, with great candour, fully stated the evidence *pro* and *con*. Dr. Harris in his *Life of Charles I.* p. 336. 351. And Mrs. Macaulay, vol. 3. p. 84—93, the note. From the arguments stated by these writers it will appear, that there were certainly grounds for Mr. Neal's insinuations, and if so, they cannot be very unjust.—Ed.

† Nelson's Collection, vol. 2. p. 633.

‡ If by the court here be meant the king, bishop Warburton condemns Mr. Neal, as, "scandalously uncharitable." It is more reasonable to explain Mr. Neal by himself; and the parties whom he particularized, in this very sentence, are, the queen and the pope's nuncio.—Ed.

§ Rapin, vol. 2. p. 419, 420, folio edition.

over to Ireland, and listed among the rebels by the king's express warrant, which his majesty denied; but when the matter was examined, it appeared that his authority had been abused by some who were very near his person.

The concern of the court in this dark affair is farther evident, from the relation of the earl of Essex, who told bishop Burnet, "that he had taken all the pains he could to inquire into the original of the Irish massacre, but could not see reason to believe the king was accessory to it; but he did believe that the queen did hearken to the propositions made by the Irish, who undertook to take the government of Ireland into their hands, which they thought they could easily perform, and then they promised to assist the king against the hot spirits at Westminster." With this the insurrection began, and all the Irish believed the queen encouraged it.

There was farther discovery of this fact at the restoration of king Charles II. when the marquis of Antrim, who had been at the head of the rebellion, and whose estate had been confiscated, finding himself likely to be excluded the act of indemnity, came to London to petition his majesty to examine the warrants he had acted upon. Accordingly a committee of council was appointed, and the marquis produced some letters from the king, which did not amount to a full proof; but in one of them the king says, that he was not then at leisure, but referred himself to the queen's letter, and said, that was all one as if he writ himself. \* Upon this foundation the marquis produced a series of his own letters to the queen, in which he gave her an account of every one of those particulars that were laid to his charge, and shewed the grounds he went upon, and desired her majesty's direction to every one of these: and he had answers ordering him to do as he did. This affair, says the bishop †, the queen herself, who was then at court, espoused with great zeal, and said, she was bound to save him. So a report was drawn up by the committee, declaring, that he had fully justified himself in every thing; but the earl of Northumberland, who was chairman, refused to set his hand to it, saying, "he was sorry the marquis had produced such warrants; but he did not think that they ought to serve his turn, for he did not believe that any warrant from the king or queen could justify so much bloodshed, in so many black instances as were laid against him." Upon the earl's refusing to sign the report the rest of the committee declined it, and there it dropped; whereupon the king himself wrote over to the duke of Ormond, that

\* To invalidate the argument drawn from the defence which the marquis of Antrim set up, Dr. Grey urges, that the marquis had not the least concern in the massacre or first insurrection, and refers to the evidence of this produced by the Rev. Thomas Cart, in a piece entitled, "The Irish massacre set in a true light," 1715. r. Harris notices the same argument, as advanced by Mr. Hume: but he denies the matter, and says, that "nothing is more certain than that Antrim had a hand in the first rebellion in Ireland." Of this he brings various proofs. *Life of Charles I.* p. 350.—Ed.

† Burnet's *Hist. Life, and Times*, vol. 1. p. 54, 55. Edin. ed.



he had so vindicated himself, that he must get him included in the act of indemnity; but the lord Mazarine and others not being satisfied to give their vote in favour of such a criminal, notwithstanding the instructions they had received from England, the marquis was obliged in his own defence to produce [of Antrim's] case, had declared to him, they had seen 'several letters, all of them of the hand-writing of our royal father to the said marquis,' and several instructions concerning his treating with the Irish in order to the king's service, by reducing them to their obedience, and by drawing some forces from them for the service of Scotland. That besides letters and orders under his majesty's own hand, there was sufficient evidence and testimony of several messages and directions sent from our royal father and our royal mother, with the privity and direction of the king our father, by which it appears, that whatever correspondence or actings the said marquis had with the confederate Irish Catholics, was directed and allowed by the said letters and instructions: and that the king himself was well pleased with what the marquis did after he had done it, and approved of the same."

In the letter of king Charles II. to the duke of Ormond above mentioned, under his majesty's own hand, and entered in the signet-office July 13, 1663†, there is this remarkable passage, "that the referees who had examined the marquis [of Antrim's] case, had declared to him, they had seen 'several letters, all of them of the hand-writing of our royal father to the said marquis,' and several instructions concerning his treating with the Irish in order to the king's service, by reducing them to their obedience, and by drawing some forces from them for the service of Scotland. That besides letters and orders under his majesty's own hand, there was sufficient evidence and testimony of several messages and directions sent from our royal father and our royal mother, with the privity and direction of the king our father, by which it appears, that whatever correspondence or actings the said marquis had with the confederate Irish Catholics, was directed and allowed by the said letters and instructions: and that the king himself was well pleased with what the marquis did after he had done it, and approved of the same."

\* Here Dr. Grey asks, "And what is all this to the Irish massacre? The letter it is plain, related to his joining Montrose in Scotland." To prove this the doctor appeals to the letter of king Charles II. quoted in the next paragraph; in which his majesty expressly allows, that the marquis was instructed to draw some forces from Ireland for the service of Scotland. And, on the authority of Mr. Cart, he refers to an act of parliament, anno 1617, 1618, Car. II. in which the king, speaking of his letter to the duke of Ormond, says, "It was only to declare, that the marquis of Antrim was employed in Ireland to procure what forces he could from thence, to be transported into Scotland for his late majesty's service, under the late marquis of Montrose." Whoever reads king Charles II.'s letter which is given at full length in Ludlow's "Truth brought to light," a pamphlet printed in 1693, in answer to Dr. Hollingworth, will not think the limitation of his majesty's meaning, here offered, consistent with the strain and tenor of that letter, which refers to the Irish rebellion in the most general terms, as well as speaks of "drawing some forces from the Irish for the service of Scotland;" and alludes to various other actings of the marquis with the Irish confederates. It was proved, on the trial of the marquis's claim to be included in the act of indemnity, that he was to have had a hand in surprising the castle of Dublin, in 1641; and seven other charges were substantiated against him. After a trial of seven hours, the king's letter being opened and read in court, Rainford, one of the commissioners, said, "that the king's letter on his behalf was evidence without exception;" and thereupon he was declared an innocent Papist. Truth brought to Light, p. 15. The plea of this letter, was the instructions given to the marquis by Charles I. and, as Mr. Neal's quotation states, it applied to every transaction with the Irish Catholics. Ludlow avers it as a well-known fact, that the marquis had his head and hands deeply and early engaged in the bloody work of the rebellion, and was amongst the first in it. Memoirs, 4to, p. 423, edition of 1771. As to the act of parliament, to which Mr. Cart refers, it is not to be found in the statutes at large, 4to, nor in Pickering's statutes.—Ed.

† Ludlow's Memoirs, vol 3. p. 353.

I have been more particular in accounting for this insurrection, because whoever were the authors of it, they are, in the judgment of lord Clarendon, answerable for all the calamities of the civil war. "It was Ireland (says his lordship\*) that drew the first blood. If they had not at that time rebelled, and in that manner, it is very probable all the miseries which afterward befel the king and his dominions, had been prevented." At whose door then the guilt of all this blood must be laid, I freely leave with the reader.

Upon the first news of the Irish massacre the commons turned themselves into a committee of the whole house, and came to the following resolutions, "that all Roman Catholics of quality in the several counties of England be secured, and that all Papists depart from London to their respective places of abode in the country; that the house of lords be desired to join with the commons in a petition for dissolving the convent of Capuchins, and sending them out of the kingdom; that the foreign ambassadors be desired to deliver up such priests of the king's subjects as are in their houses; that a list be brought in of the queen's servants; and that a proclamation be issued out for all strangers that are not Protestants, to give an account of their names and places of abode, or depart the kingdom." They also despatched a messenger to the king, beseeching him to concur with them in securing the nation against any further attempts of the Papists; and not to employ any in his councils who were favourers of Popery, superstition, or innovation in religion. They voted 200,000*l.* to be borrowed immediately for the service of Ireland, and appointed the train-bands of Westminster to guard them from the insolence and affronts of vagrant soldiers about the court, and to secure them from other designs which they had reason to suspect. The lords ordered all Romish recusants to remove out of the inns of court and chancery. The commons ordered the oaths of allegiance and supremacy to be tendered to all Irish gentlemen within those courts; "for it now appears (says Mr. Pym) that the religion of the Papists is incompatible with any other religion, it is destructive to all others, and will endure nothing that opposes it. There are other religions that are not right, but not so destructive as Popery, for the principles of Popery are subversive of all states and persons that oppose it †."

When the king returned from Scotland the latter end of November, and had been received with the acclamations of the citizens of London ‡, he was prevailed with by the queen and her faction to check the proceedings of the two houses, since the Scots were easy, and the hearts of the English nation seemed to be with him; his majesty had recommended the suppressing the Irish rebellion to the Scots representatives, and by letter had committed of it also to the English parliament; whereupon the

p. 299.

† Nalson's Collection, vol. 2, p. 620.

‡ Ibid. p. 675, &c.



house of commons, in the king's absence, authorised the earl of Leicester, by an ordinance of their own, to raise forces, and the lord-high-admiral to provide shipping for their transportation from Chester, and other ports; but when the king came to Whitehall he seemed so unwilling to act against the Papists, that the parliament were afraid of sending Protestant soldiers out of the kingdom, lest his majesty should take advantage of their absence, and break up the constitution\*; for he had already commanded away the parliament's guard, telling them they had nothing to fear from the Papists, and that their jealousies of plots and massacres were imaginary†. He pardoned seven Popish priests who were under sentence of condemnation, contrary to the petition of the house of commons. He turned out the earl of Leicester, lord-lieutenant of Ireland, and sir William Parsons, one of the most active Protestant justices in that kingdom. He intercepted the parliamentary supplies in their way to Chester, and received a deputation from the Irish Catholics with greater ceremony and respect than from his Protestant subjects. Nor could his majesty be prevailed with to issue out a proclamation declaring the Irish, rebels, till the beginning of January, and even then only forty copies were printed, and not one to be dispersed till farther orders‡. Indeed, the king proclaimed a monthly fast, and offered to raise an army of English for the relief of Ireland, which the commons declined; and instead thereof appointed a committee to treat for ten thousand Scots, which the house of lords, by direction from the king, put a stop to§; so that between both, the relief of Ireland was neglected. The king would have persuaded the parliament to send over ten thousand English, that they might find it more difficult to raise forces in case of a breach with him; but the commons prevailed with the Scots to offer ten thousand of their nation, that they might not be obliged to leave themselves naked and defenceless in so critical a juncture.

Upon the whole it seems to me, that this barbarous insurrection and massacre was formed either here or in Ireland, to distress the parliament, after the failure of the design of doing it by the English army. The king seems to have been willingly ignorant||

\* Rapin, vol. 2. p. 386, 387, folio.

† Ibid. p. 388, folio. Nalson, vol. 2, p. 400. 684.

‡ Rapin, vol. 2. p. 401, folio edition.

§ "The king (says Dr. Grey) was not concerned in it, as appears from Rapin, the author he (i.e. Mr. Neal) refers to." The doctor then relates, in Rapin's words, the three questions on this point, debated by the lords. In which statement there is, it is true, an entire silence about the king's interference. But the doctor had overlooked the preceding paragraph, which establishes Mr. Neal's assertion; in which Rapin says, "the king had found means to gain the peers."  
—Ed.

|| "This (says Bishop Warburton) is a villanous accusation, destitute of all proof and likelihood."—His lordship might have spared some of his warmth and bitterness. For if it be an accusation, it comes forward as a conclusion arising from the facts and authorities stated in the preceding pages. It is properly the opinion of the author, and the reader will judge how far it justly flows from the evidence laid before him.—Ed.

of the progress of the affair, having intrusted the correspondence with the queen and her council; but when he heard how the Irish had overacted their part he was surprised, and thought it necessary to declare against them; yet when he came to his queen he appeared too favourable to their persons and conduct, and instead of going briskly into the measures that were proposed to subdue them, his majesty played the politician, and would have made use of the Irish rebellion to put himself at the head of an army to break up his English parliament.

While the king was in Scotland, it was given out by some ill-designing people, that since his majesty had yielded so much to the Scots, he might be persuaded to introduce presbytery into England at his return; upon which his majesty sent the following letter to Mr. Nichols, clerk of the council:

"I hear it is reported that at my return I intend to alter the government of the church of England, and to bring it to that form it is in here; therefore I command you to assure all my servants, that I will be constant to the discipline and doctrine of the church of England established by queen Elizabeth and my father; and that I resolve, by the grace of God, to die in the maintenance of it. Edinburgh, October 18, 1641\*."

Accordingly his majesty resolved to fill up the vacant sees, and ordered five *congé d'élire*s to be drawn for five clergymen therein named; but the two houses joining in a petition to his majesty to suspend his commands till he came home, the matter was delayed; however, soon after his return, he made the following removes and promotions.

Dr. Williams bishop of Lincoln, was translated to the province of York, in the room of Dr. Neile deceased, and Dr. Winniffe dean of St. Paul's, a grave and moderate divine, was made bishop of Lincoln; Dr. Duppa bishop of Chichester was translated to Salisbury, vacant by the death of Dr. Davenant; and Dr. King dean of Rochester was promoted to Chichester. Dr. Hall was translated from Exeter to Norwich, in the room of bishop Montague; and Dr. Brownrigge master of Catherine-hall, Cambridge, an eminent and learned divine, was advanced to Exeter. Dr. Skinner was translated from Bristol to Oxford, vacant by the death of Dr. Bancroft; and Dr. Westfield archdeacon of St. Alban's, a very popular preacher, was promoted to Bristol; Dr. Prideaux, king's professor of divinity in Oxford, was made bishop of Worcester, in the room of bishop Thornborough deceased. The bishoprick of Carlisle being vacant by the death of Dr. Barnabas Potter a Puritan bishop, commonly called the penitential preacher, was given *in commendam* to the most reverend Dr. Usher archbishop and primate of Ireland, during the commotion in that kingdom. Most of these divines stood well in the opinion of the people, but their accepting bishopricks in this crisis did neither

\* Nalson's Collection, vol. 2. p. 683.



the king nor themselves any service. After this his majesty nominated but two bishops throughout the course of his reign; one was Dr. Frewen dean of Gloucester, and president of Magdalen-college, Oxon, to the bishoprick of Coventry and Litchfield, 1644, and Dr. Howel prebendary of Windsor to Bristol, about ten months after.

A committee had been appointed above a twelvemonth ago, at the motion of lord Digby, "to draw out of all the grievances of the nation such a remonstrance as might be a faithful and lively representation to his majesty, of the deplorable state of the kingdom\*;" but it was laid aside till this time, when the prospect of an agreement between him and his parliament being almost at an end, after the breaking out of the Irish insurrection and massacre, it was perfected and read in the house of commons November 22, when it met with so strong an opposition, that it was carried only by nine voices †, after a long debate from three in the afternoon till three in the morning, which made one ‡ say, "it looked like the verdict of a starved jury." Many were of opinion, that those grievances which had been redressed by the late acts of parliament ought to have been covered, lest the reviving them should make the breach wider between the king and parliament; while others thought the mentioning them could do no harm if it was done with respect, and that it was in a manner necessary in order to introduce the intended limitation of the royal power. However, this was the crisis that discovered the strength of the two parties, and was managed with such warmth, that Oliver Cromwell is said to tell lord Falkland, that "if the remonstrance had been rejected he would have sold all he had next morning and never have seen England more."

It is difficult to say which side of the question was right §. Mr. Rapin || will not take upon him to determine, whether it was necessary for the welfare of the kingdom, to put it out of the king's power to govern for the future in the same arbitrary

\* Bishop Warburton asks here, "Why are we told this but to mislead us? A year ago, before the king had made full satisfaction for his misgovernment, such a remonstrance was seasonable: now he had made full satisfaction, it was factious and seditious."—To this question of his lordship it may be retorted, Why should a design to mislead be insinuated against Mr. Neal? Has he not in the same paragraph informed his readers, that "many were of opinion, that those grievances which had been redressed ought to have been covered?" Doth he not fairly state the whole business? And doth he not, with candour and impartiality, avoid biasing his reader, while he waives giving a decided opinion on the conduct of the parliament in this affair? All this appears, in the hurry of his remarks, at breakfast-time, to have escaped his lordship's notice. Had he read on before he wrote in the margin of his book, it would have precluded his censure.—Ed.

† This is a mistake copied from lord Clarendon. The numbers for passing the remonstrance was one hundred and fifty-nine, against it one hundred and forty-eight, so it was carried by eleven voices. Harris's Life of Oliver Cromwell, p. 74.—Ed.

‡ Dr. Harris supposes this was sir Benjamin Rudyard, who, according to Willis, was in three parliaments, the representative of Portsmouth, and was afterward returned for Old Sarum once, for Downton once, and for Wilton twice.—Ed.

§ Clarendon, vol. 2. p. 312.

|| Rapin, vol. 2. p. 388, fol. edit.

manner as he had done for fifteen years; but he thinks the reason for it very plausible, and does not well see what security they could have who were for leaving the king in possession of the same power he had before enjoyed; especially if it be considered, that his majesty had still the same arbitrary principles, and the same inviolable attachment to his queen and the Popish faction, besides the current report that the court had fomented the Irish insurrection, which had filled the minds of the people with distracting terrors. It is certain the king had conceived an implacable aversion to the leading members of the Puritanical party in both houses, and having quieted the Scots, was determined to make them examples; of which they were ignorant. After all, whether these and the like reasons were sufficient to justify the whole of the parliament's conduct in this affair, I will not presume to determine.

The remonstrance was presented to the king at Hampton-court [December 1, 1641] about a week after his majesty's return from Scotland, with a petition for redress of the grievances therein contained. It is easy to suppose it was not very acceptable, but the king gave the committee his hand to kiss, and took time to return an answer\*. The remonstrance enumerates the several grievances, oppressions, and unbounded acts of the prerogative, since his majesty's accession, to the number of almost two hundred, and charges their rise and progress, (1.) On the Jesuited Papists. (2.) On the court, bishops, and corrupt part of the clergy. (3.) On such corrupt counsellors and courtiers as for private ends had engaged themselves in the interest of some foreign princes, to the prejudice of the king and state. These ministers are said to carry on their designs, (1.) By suppressing the power and purity of religion, and of such persons as were best affected to it. (2.) By cherishing the Arminian party in those points wherein they agree with the Papists, in order to widen the difference between the common Protestants and those called Puritans; and by introducing such opinions and ceremonies as tend to an accommodation with Popery. (3.) By fomenting differences and discontents between the king and his parliament, and by putting him upon arbitrary and illegal methods of raising supplies.

I omit the grievances of the state; those which related to the church were such as follow:

1. The suspensions, excommunications, deprivations, and degradations, of divers painful, learned, and pious ministers of the gospel, by the bishops; and the grievous oppression of great numbers of his majesty's faithful subjects.

2. The sharpness and severity of the high-commission, assisted by the council-table, not much less grievous than the Romish inquisition.

3. The rigour of the bishops' courts in the country, whereby



great numbers of the meaner tradesmen have been impoverished and driven out of the kingdom to Holland and New England. The advancing those to ecclesiastical preferments who were most officious in promoting superstition, and most virulent in railing against godliness and honesty.

4. The design of reconciling the church of England with Rome, and imposing upon the church of Scotland such Popish superstitions and innovations, as might dispose them to join with England in the intended reconciliation.

5. The late canons and oath imposed upon the clergy under the severest penalties; and the continuance of the convocation by a new commission, after the dissolution of the parliament, wherein they raised taxes upon the subject for the maintenance of what was called "bellum episcopale." The rooting out of the kingdom by force, or driving away by fear, the Puritans; under which name they include all that desire to preserve the laws and liberties of the kingdom, and to maintain religion in the power of it.

6. The exempting Papists from penal laws, so far as amounted to a toleration, besides conferring upon them many other privileges and court-favours; these, say they, have had a secretary of state of their own religion, and a nuncio from the pope, by whose authority the Popish nobility, clergy, and gentry, have been convoked after the manner of a parliament; new jurisdictions have been erected of Popish archbishops; taxes have been levied; another state moulded within this state, independent in government, and secretly corrupting the ignorant professors of our religion, &c. The Papists have been furnished with arms and ammunition, listed in the king's service, and encouraged by the weekly prayers of their priests for the prosperity of their designs, to promote the Catholic cause. They complain farther of a party of bishops and Popish lords in the house of peers who have caused much opposition and delay in the prosecution of delinquents, and hindered the passing some good bills for the reforming abuses and corruptions in church and state; and of a malignant party that has countenanced the rebellion in Ireland.

After the recital of these grievances, they acknowledge with thankfulness the many acts that his majesty has passed this session for the public good, and put his majesty in mind of the large sums of money they had raised for his service, amounting to no less than a million and a half. They declare, "that it is far from their purpose or desire to let loose the golden reins of discipline and government in the church, to leave private persons or particular congregations to take up what form of divine service they please; for we hold it requisite (say they) that there should be throughout the whole realm a conformity to that order which the laws enjoin, according to the word of God; and we desire to unburden the consciences of men from needless and superstitious

ceremonies, to suppress innovations, and to take away the monuments of idolatry. To effect this intended reformation, we desire there may be a general synod of the most grave, pious, learned, and judicious divines of this island, assisted with some from foreign parts professing the same religion with us, who may consider of all things necessary for the peace and good government of the church, and represent the result of their consultations to the parliament, to be allowed and confirmed, and to receive the stamp of authority.—It is our chief care to advance and promote learning, and to provide a competent maintenance for conscionable and preaching ministers throughout the kingdom.—We intend likewise to reform and purge the fountains of learning—the two universities; that the streams flowing thence may be clear and pure, and an honour and comfort to the whole land. And seeing that the religion of Papists has such principles as certainly tend to the destruction and extirpation of all Protestants, when they have opportunity to effect it, it is necessary to keep them in such a condition, that they may not be able to do us any hurt.”

In the petition that attended this remonstrance, after having assured his majesty, that they had not the least intention to lay any blemish upon his royal person by the foregoing declaration, but only to represent how his royal authority and trust had been abused, they humbly beseech his majesty to concur with his people in a parliamentary way, “(1.) For the depriving the bishops of their votes in parliament, and abridging their immoderate power, usurped over the clergy, and other your good subjects, to the hazard of religion, and prejudice of the just liberties of your people. (2.) For the taking away such oppressions in religion, church-government, and discipline, as have been brought in and fomented by them. (3.) For uniting all such your loyal subjects as agree in fundamentals, against Papists, by removing some oppressions and unnecessary ceremonies, by which divers weak consciences have been offended, and seem to be divided from the rest.” (4.) They conclude, “with beseeching his majesty to remove from his counsels, all favourers of Popery and arbitrary power, and promoters of the above-mentioned pressures and corruptions, and to employ such as his parliament might confide in: and that in his princely goodness he would reject all solicitations to the contrary, how powerful and near soever \*.”

His majesty in his answer to this petition, about a week after, complains very justly of the disrespect of the commons in printing their remonstrance before he had time to return an answer. To the preamble and conclusion of the petition, he says, that “he knows of no wicked, arbitrary, and malignant party prevalent in the government, or near himself and his children;” and assures them, that the mediation of the nearest to him has always concurred in such persons, against whom there can be no just cause



of exception. To the several articles his majesty replies: first, concerning religion, "that he is willing to concur with all the just desires of his people in a parliamentary way, for preserving the peace of the kingdom from the designs of the Popish party.

"That for depriving the bishops of their votes in parliament, he thought their right was grounded on the fundamental laws of the kingdom, and constitution of parliament, but since you desire our concurrence in a parliamentary way (says the king) we will give no further answer at present.

"As for abridging the extraordinary power of the clergy, if there remain any excesses or usurpations in their jurisdictions, we neither have nor will protect them.

"Concerning church-corruptions, as you style them, and removing unnecessary ceremonies; we are willing to concur in the removal of any illegal innovations which may have crept in; and if our parliament advise us to call a national synod for that purpose, we shall take it into consideration.

"But we are very sorry to hear, in such general terms, corruption in religion objected, since we are persuaded in our own conscience, that no church can be found upon earth that professeth the true religion with more purity of doctrine than the church of England doth; nor where the government and discipline are jointly more beautified, and free from superstition, than as they are here established by law, which by the grace of God, we will with constancy maintain, while we live, in their purity and glory, not only against all invasions of Popery, but also from the irreverence of those many schismatics and separatists wherewith of late this kingdom and this city abound, to the great dishonour and hazard both of church and state; for the suppression of whom we require your timely aid and active assistance."

Some time after [December 15, 1641] his majesty published his answer to the remonstrance\*, with a declaration to all his loving subjects, in which he professes himself fully satisfied, "that the religion of the church of England is most agreeable to the word of God, and that he should be ready to seal with his blood, if God should call him to it. That as for ceremonies in religion, which are in their own nature indifferent, he is willing in tenderness to any number of his subjects, that a law should be made for the exemption of tender consciences from punishment, or prosecution for such ceremonies, as by the judgment of most men are held to be indifferent, and of some to be absolutely unlawful, provided the peace of the kingdom be not disturbed, nor the present decency and comeliness of God's service established in the church discountenanced; nor the pious, sober, and devout actions of those reverend persons, who were the first labourers in in the blessed Reformation, be scandalized and defamed. His majesty then adds, that he cannot without grief of heart, and

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\* Nalson's Collection, vol. 2. p. 647, &c.

some tax upon himself and his ministers for not executing the laws, look upon the bold licence of some men, in printing pamphlets and sermons so full of bitterness and malice against the present government, and the law established, so full of sedition against himself and the peace of the kingdom, that he is many times amazed to consider by what eyes these things are seen, and by what ears they are heard; he therefore commands again all his officers and ministers of justice to proceed against them with all speed, and put the laws in execution\*." Agreeably to this declaration his majesty issued out his royal proclamation December 10, requiring obedience to the laws and statutes ordained for the establishing true religion in this kingdom, and commanding that divine service be performed as heretofore; and that all officers and ministers, ecclesiastical and temporal, do put the said laws in due execution against all wilful contemnors and disturbers of divine worship, contrary to the said laws and statutes.

Thus matters stood between the king and parliament, when all men expected the court-interest in the house of peers would be broken, by the issue of the impeachment of the thirteen bishops, for compiling the late canons, which was now approaching. The lords had resolved that such bishops as were impeached, should not sit in the house when the merits of their cause was in debate, but that when the manner of proceeding was to be settled, they might be present but not vote. To enable them the better to make their defence, it was resolved farther that the bishop of Rochester with one other bishop, might have access twice to the archbishop of Canterbury in the Tower, to consult with him about their answer to the impeachment; and that all the lords-bishops may have access to and have copies of any acts and records in any of his majesty's courts of justice, that may serve for their defence. On the 10th of November the bishops put in their answer, consisting of a plea and demurrer, in which they neither confess nor deny the fact, but endeavour to shew that the offence of making canons could not amount to a premunire; which was certainly true, provided they had been made in a legal convocation, and that the canons themselves had not been contrary to the king's prerogative and the fundamental laws of the land. The answer was signed with all their hands except the bishop of Gloucester's, who pleaded not guilty *modo et forma* †. The commons were dissatisfied with the bishops, for not pleading directly to their charge; and with the lords, for receiving a demurrer when they were not present, contrary to the request which they sent up with the impeachment, especially when the nature of the case, being a mere matter of fact, could not require it; they therefore prayed the lords by serjeant Glyn to set aside the demurrer, and to admit them to make proof of their charge without any further delay; or if they were satisfied with the

worth, part 3. vol. 1. p. 456.

on's Collection, vol. 2. p. 715, 731.



charge, and the bishops would not plead to it, to proceed immediately to judgment; but the lords, instead of complying with the commons, gave the bishops their option, and ordered them to declare by Saturday, whether they would plead to the impeachment, or abide by their demurrer, when they declared they would abide by their demurrer; upon which the lords appointed Monday following [December 11] to hear them by their counsel in presence of the commons; but the house resenting this dilatory method of proceeding in a case which they allege was so apparent and manifest to the whole world, would not appear; the most active members declaring among their friends with a sort of despair, that they would be concerned no farther against the bishops, for they now saw it was in vain to attack a number of men whom the court and the house of lords were resolved to protect.

When this was rumoured in the city it alarmed the people, whose fears were already sufficiently awakened with the apprehensions of a Popish massacre and insurrection within their own walls. The aldermen and common-council immediately assembled, and drew up a petition to support the courage of the commons, and went with it to Westminster in sixty coaches, attended by a great number of the lower people\*. The petition prays, "that the house of commons would still be a means to the king and the house of peers, to concur with them [the commons] in redressing the grievances of church and state, and for the better effecting hereof, that the Popish lords and bishops may be removed out of the house of peers." The speaker returned them thanks in the name of the house, and promised to take their address into consideration in due time. A few days after great numbers of the people assembled at Blackheath, to sign a petition to the same purpose; and within a fortnight the apprentices of London went up with a petition signed with a multitude of names, complaining of the decay of trade, occasioned by Papists and prelates, and by a malignant party that adhered to them; and praying, that the Popish lords, and other eminent persons of that religion, might be secured, and that prelacy might be rooted out, according to their former petition, commonly called the root and branch. The commons received their petition favourably; but the king, instead of calming the citizens, increased their jealousies and suspicions, by removing at this very time sir William Belfour from the lieutenancy of the Tower, and putting colonel Lunsford into his place, a suspected Papist, of no fortune, who had been once outlawed, and was fit for any desperate attempt; this unreasonable promotion occasioned petitions to his majesty for his removal, which with much difficulty, after some time, was obtained, but the jealousies of the people still remained.

The petitions above mentioned against the bishops were con-

\* Nalson's Collection, vol. 2. p. 733.

fronted with others out of the country, in their favour. November 18, the humble petition of the knights, esquires, gentlemen, parsons\*, vicars, curates, &c. of Rutlandshire, was presented to the house, signed by about eight hundred and forty hands, praying for the continuance of episcopacy, as the only government of apostolical institution sealed with the blood of martyrs, admirably suited to the civil government of this kingdom, and affirming, that no presbyter ever laid on hands without a bishop. December 8, a petition of the like nature was presented from Huntingdonshire, and two days after another from Somersetshire, signed with above fourteen thousand names †‡.

On the other hand, the ministers appointed to solicit their remonstrance formerly mentioned, addressed the house, December 20, 1641, acknowledging "their piety and zeal for the true religion, against Popery and superstition; in countenancing the sacred ordinance of preaching; in encouraging painful and godly ministers, formerly set aside, but now profitably employed in many congregations; in discountenancing of bold intruders, who, without a sufficient call, have thrust themselves into the sacred office; as also, of all unworthy and scandalous ministers; in freeing divers godly ministers from prison and exile, and others from heavy censures; in preventing the utter ruin of the petitioners, by setting aside the late oath and canons, the high-commission, and other illegal pressures of ecclesiastical courts; in making an order to take away all superstitious rites and ceremonies, images, pictures, and other innovations, out of churches; in conducting the late peace with Scotland to a happy conclusion, and in their vigorous endeavours for the relief of Ireland, &c. But whereas there still remain a great many grievances to be removed, they are necessitated to renew their former suit for redress of the aforesaid evils, and for taking away whatever shall appear to be the root and cause of them. And whereas the petitioners, and many others, are desirous in all things to submit to the laws, so far as possibly they may, yet merely out of tenderness and scruple of conscience, they dare not continue, as formerly they did, the exercise of some things enjoined; not only because they have more seriously weighed the nature and scandal of them, and because sundry bishops, and other grave divines, called to their assistance by order of the house of peers, have, as they are

\* "And householders in the county of Rutland, in behalf of themselves and families:" omitted. Dr. Grey.

† There were also petitions from the counties of Cheshire, Nottingham, Devonshire, Stafford, Kent, the six shires of North Wales, the counties of Lancaster, Cornwall, and Hereford. Of these petitions, that from Devon had eight thousand signatures; that from Stafford three thousand; and those from the six shires of North Wales thirty thousand. Amongst the petitioners were computed, where the different ranks of the petitioners were classed, to be five peers, two hundred and five knights, three hundred and ninety-nine divines, one thousand five hundred and eighty-eight gentlemen, and twenty-eight thousand three hundred and freeholders. Dr. Grey's Examination, vol. 1. p. 312. 314.  
on's Collection, vol. 2. p. 726, 727.



informed, discovered divers particulars which need alteration in the liturgy; and because there is not, as they humbly conceive, at this day, commonly extant, any book of common prayer without so many alterations and additions, as render it in many parts another thing from that which is by law established; but chiefly, because the house, from a sense of its defects, has taken the reformation thereof under consideration, which they hoped would be some shelter against the strict pressing the use of it, till their pleasure was declared in a parliamentary way. But though the petitioners have been comfortably assured of some ease herein, yet now to their great sorrow they apprehend that the same things are anew enforced, which may occasion much trouble and vexation to sundry peaceable and worthy ministers, some of whom have been indicted upon the statute of 1 Eliz. cap. 2, since the beginning of this present parliament, and others threatened for omissions of some things complained of to this high court and still depending before you. The petitioners therefore pray the house to resume the consideration of their former petition, and to commit the same to the debate of a free synod, and in the mean time to be mediators to his majesty for some relaxation in matters of ceremony, and of reading the whole liturgy. They farther pray, that a monthly fast may be appointed and religiously observed, during the present sessions of parliament, and they will be ready at any time to offer reasons why there should be a synod of a different constitution from the convocation now in being, when they shall be required\*."

The carrying up these petitions to Westminster, and especially that of the London apprentices, occasioned great tumults about the parliament-house. The king was at his palace at Whitehall, attended by a great number of disbanded officers, whom his majesty received with great ceremony, and employed as a guard to his royal person. These officers insulted the common people, and gave them ill language as they passed by the court to the parliament-house, crying out, No bishops, no Popish lords! If the people ventured to reply, the officers followed their reproaches with cuts and lashes, which, says lord Clarendon†, produced some wounds, and drew blood. Mr. Baxter says, they came out of Whitehall, and caught some of them, and cut off their ears. From these skirmishes, and from the shortness of the apprentices' hair, which was cut close about their ears, the two parties began first to be distinguished by the names of Roundhead and Cavalier. David Hyde, one of the reformades, first drew his sword in the Palace-yard, and swore he would cut the throats of those round-headed dogs that bawled against the bishops. Dr. Williams, bishop of Lincoln, lately promoted to the see of York, going by land to the house of peers in company with the earl of Dover, and hearing a youth cry out louder than the rest, No bishops, no Popish lords! stepped from the earl and laid hands on him, but

\* Nalson's Collection, vol. 2. p. 764.

† Vol. I. p. 339.

his companions rescued him, and about a hundred of them surrounded the bishop, hemmed him in, and with a universal shout cried out, No bishops! after which they opened a passage and let his grace go forward to the house\*. The same day colonel Lunsford coming through Westminster-hall in company with thirty or forty officers, drew his sword and wounded about twenty apprentices and citizens: others walking in the abbey while their friends were waiting for an answer to their petition, were ordered by the vergers to clear the church, lest the ornaments of the cathedral should suffer damage; upon which most of them went out, and the doors were shut, but some few remaining behind, were apprehended and carried before the bishop, which occasioned another skirmish, in which sir Richard Wiseman was killed by a stone from the battlements; after which the officers and soldiers sallied out upon the mob with sword in hand, and obliged them to retire. The news of this being reported in the city, the whole populace was in arms, and resolved to go next morning to Westminster with swords and staves. The lord-mayor and sheriffs raised the train-bands, and having ordered the city-gates to be kept shut, they rode about all night to keep the peace; but it was impossible to hinder the people's going out in the day. On the other hand, the king commanded the militia of Westminster and Middlesex to be raised by turns, as a guard to his royal person and family; upon which several gentlemen of the inns of court offered their service, in case his majesty apprehended any danger†. The house of commons being no less afraid of themselves, petitioned for a guard out of the city of London, under the command of the earl of Essex, which his majesty refused, but told them, he would take as much care of them as of his own children; and if this would not suffice, he would command such a guard to wait upon them as he would be answerable to God for; but the house not being willing to trust to the king's guard, declined his majesty's offer, and not prevailing for one of their own choosing, they ordered halberds to be brought into the house, and resolved, in case of an assault, to defend themselves.

The lords exerted themselves to disperse the tumults, by sending their gentleman-usher of the black rod to command the people to depart to their homes; and by appointing a committee to inquire into the causes of them. His majesty also published a proclamation [December 28, 1641] forbidding all tumultuous assemblies of the people. But the commons being unwilling to affront the citizens, were not so vigorous in suppressing them, as it is thought the circumstances of things required; for as the king relied upon his guard of officers, the commons had their dependance upon the good-will of the citizens. Not that the house can be charged with encouraging tumults‡, for the very next day after

\* Rushworth, part 3. v.

‡ Bishop Warburton

† Ibid. p. 456. 471.

assertion, and calls it "a notorious



the king's proclamation they sent a message to the lords, declaring their readiness to concur in all lawful methods to appease them; but being sensible their strength was among the inhabitants of London, without whose countenance and support every thing must have been given back into the hands of the court, they were tender of entering upon vigorous measures.

While these tumults continued the bishops were advised to forbear their attendance upon the house, at least till after the recess at Christmas; but this looking too much like cowardice, their lordships determined to do their duty; and because the streets were crowded with unruly people, they agreed to go by water in their barges; but as soon as they came near the shore, the mob saluted them with a volley of stones, so that being afraid to land, they rowed back and returned to their own houses. Upon this repulse, twelve of them met privately at the archbishop of York's lodgings in Westminster, to consult what measures were to be taken. The archbishop advised them to go no more to the house, and immediately in a heat drew up the following protestation against whatsoever the two houses should do in their absence, which all present signed with their hands, except the bishop of Winchester.

"To the king's most excellent majesty, and the lords and peers now assembled in parliament.

"The humble petition and protestation of all the bishops and prelates now called by his majesty's writs to attend the parliament, and present about London and Westminster for that service.

"Whereas the petitioners are called up by several and respective writs and under great penalties to attend the parliament, and have a clear and indubitable right to vote in bills, and other matters whatsoever debatable in parliament, by the ancient customs,

falsehood." The house, he says, "has been charged by all mankind with encouraging the tumults, though not with publicly avowing that they did encourage them." The truth or falsehood of Mr. Neal's assertion will depend on the explanation of the word "encourage;" if it means connivance at, and giving countenance to, the tumults, its veracity may be impeached. For when the lords desired, on December 27, the house to join in publishing a declaration against the tumults, and in petitioning the king for a guard, they waived taking the request into consideration, on the plea, that the hour was too late for it. When the next day came, they adjourned the matter to the succeeding. The mob being again assembled on the 29th, they sent their message to the lords. Mr. Neal does not immediately state these circumstances, but he represents the commons as not acting with vigour in suppressing the riots, and as placing some dependence on the spirit which the people shewed. Mr. Neal therefore, by encouraging the tumults, must be understood to mean, as Rapin expresses it, "taking any resolution to encourage these tumults," or avowing an approbation of them: then his assertion is, in the judgment of even bishop Warburton, just and true. The reader cannot but observe, that Mr. Neal thought that the tumults were not, at first at least, disagreeable to the commons. Yet it should be observed, that Whitelocke, speaking of them, says, "it was a dismal thing to all sober men, especially members of parliament, to see and hear them." *Memorials*, p. 51.—Ed.

laws, and statutes, of this realm, and ought to be protected by your majesty quietly to attend and prosecute that great service: they humbly remonstrate and protest before God, your majesty, and the noble lords and peers now assembled in parliament, that as they have an indubitate right to sit and vote in the house of lords, so are they, if they may be protected from force and violence, most ready and willing to perform their duties accordingly. And that they do abominate all actions or opinions tending to Popery and the maintenance thereof; as also, all propension and inclination to any malignant party, or any other side or party whatsoever, to the which their own reasons and conscience shall not move them to adhere. But whereas they have been at several times violently menaced, affronted, and assaulted, by multitudes of people in their coming to perform their services in that honourable house, and lately chased away and put in danger of their lives, and can find no redress or protection, upon sundry complaints made to both houses in these particulars: they humbly protest before your majesty, and the noble house of peers, that saving unto themselves all their rights and interest of sitting and voting in that house at other times, they dare not sit or vote in the house of peers, until your majesty shall farther secure them from all affronts, indignities, and dangers, in the premises. Lastly, whereas their fears are not built upon fantasies and conceits, but upon such grounds and objections as may well terrify men of resolution and much constancy, they do, in all humility and duty, protest before your majesty, and the peers of that most honourable house of parliament, against all laws, orders, votes, resolutions, and determinations, as in themselves null, and of none effect, which in their absence, since the 27th of this month of December 1641, have already passed; as likewise against all such as shall hereafter pass in that most honourable house, during the time of this their forced and violent absence from the said most honourable house; not denying, but if their absenting of themselves were wilful and voluntary, that most honourable house might proceed in all the premises, their absence, or this protestation, notwithstanding. And humbly beseeching your most excellent majesty to command the clerk of that house of peers, to enter this their petition and protestation among their records,

“And they will ever pray God to bless, &c.



“ John Eborac.	George Hereford,
Tho. Duresme,	Rob. Oxon,
Ro. Cov. Lichf.	Mat. Ely,
Jos. Norwich,	Godfrey Gloucester,
Jo. Asaph,	Jo. Peterborough,
Gul. Bath and Wells,	Morice Landaff.”

This protestation was presented to the king by archbishop Williams\*, who undertook to certify the lawfulness of it; but his



majesty declining to appear in so nice an affair, delivered it into the hands of the lord-keeper Littleton, who by his majesty's command read it in the house of lords the next morning. After some debate the lords desired a conference with the commons, when the keeper in the name of the house of peers declared, that "the protestation of the bishops contained matters of high and dangerous consequence, extending to the intrenching upon the fundamental privileges and being of parliaments, and therefore the lords thought fit to communicate it to the commons\*." The protestation being communicated to the house of commons, they resolved, within half an hour, to accuse the twelve bishops of high treason, "for endeavouring to subvert the fundamental laws and being of parliaments," and sent up their impeachment by Mr. Glyn, who having delivered it at the bar of the house of lords, the usher of the black rod was ordered to go immediately in search of the bishops, and bring them to the house; the bishops appearing the same evening [December 30] were sequestered from parliament, ten of them being sent to the Tower, the bishops of Durham and Norwich †, by reason of their great age and the service they had done the church of God by their writing and preaching, being committed to the custody of the black rod, with an allowance of 5*l.* a day for their expenses ‡.

The adversaries of the bishops in both houses were extremely pleased with their unadvised conduct; one said, it was the finger of God, to bring that to pass which otherwise could not have been compassed. There was but one gentleman in the whole debate that spoke in their behalf, and he said, "he did not believe they were guilty of high treason, but that they were stark mad, and therefore desired they may be sent to Bedlam." Lord Clarendon § censures this protestation, as proceeding from the pride and passion of archbishop Williams; he admits that the eleven bishops were ill advised, in going into his measures, and suffering themselves to be precipitated into so hasty a resolution, though he is certain there could be nothing of high treason in it. However, their behaviour gave such scandal and offence, even to those who passionately desired to preserve their function, that they had no compassion or regard for their persons.

The objections that I have met with against the protestation, are these; First, That it tended to destroy the very being of parliaments, because it put a stop to all laws, orders, votes, and resolutions, made in the absence of the bishops. Secondly, The presence of the bishops is hereby made so essential that no act can pass without them, which is claiming a negative voice, like the king's. Thirdly, The bishops desiring the king to command the clerk of the house of peers to enter their protestation on record, was derogatory to the rights of parliament, as though the king by his command could make a record of parliament. Fourthly,

\* Rushworth, part 3, vol. 1, p. 467.

† Fuller, b. 11, p. 188.

‡ Morton and Hall.

§ Vol. 1. p. 355.

The annulling all laws that might be made at this time, when Ireland was in so much danger from the breaking out of the Irish massacre, was a sort of conspiring with the rebels to destroy that kingdom. Fifthly, It was said, that besides the unwarrantable expressions in the protestation, the form of presenting and transmitting it was unjustifiable.

On the other hand it was said on behalf of the bishops, that here was a manifest force put upon them; and a violence offered to the freedom of one member of parliament, is a violence offered to the whole; that therefore they had a right to protest, and guard their privileges, without being accountable for the ill consequences that might follow. Yet surely this manner of asserting their privilege was irregular; should they not have petitioned the lords to secure their passage to parliament, rather than have put a negative upon all their proceedings? I have met with only one learned writer who commends the bishops upon this occasion, and he advances them, in romantic language, to the rank of heroes: his words are these; "Had the bishops done less, they had fallen short of that fortitude which might justly be expected from them. They had reason to conclude the root and branch work would certainly go forward, and therefore to be silent under such an outrage would look like cowardice. When the prospect is thus menacing, and a man is almost certain to be undone, the most creditable expedient is to spend himself in a blaze, and flash to the last grain of powder. To go out in a smoke and smother is but a mean way of coming to nothing. To creep and crawl to a misfortune is to suffer like an insect. A man ought to fall with dignity and honour, and to keep his mind erect though his fortune happens to be crushed. This was the bishops' meaning, and for making so handsome a retreat they ought to stand commended upon record\*." But with due regard to this reverend divine, was there no medium between being silent, and taking upon them in such a crisis to stop all the business of parliament? For if the proceedings of the house of peers are null without the bishops, it is no less certain, that those of the house of commons are null without the peers; from whence it must follow, that the whole parliament was incapable of acting. Mr. Rapin† is of opinion, that the king hoped "that this affair might occasion the dissolution of the parliament." But if he did, his majesty was much mistaken, for the bishops and Popish lords being now absent, the majority of the whole house of peers was against the court; which vexed the queen and her faction, and put them upon such an extravagant piece of revenge as effectually broke the peace of the kingdom, and rendered the king's affairs irretrievable.

His majesty having been assured that the lord Kimbolton, and five of the most active members in the house of commons, viz. Denzil Hollis, Sir Arthur Haslerigge, John Pym, John Hampden,

\* Collyer's Eccles. Hist. vol. 2. p. 819.

† Vol. 1. p. 405, folio.



and William Stroud, Esqrs. had invited the Scots into England, and were now the chief encouragers of those tumults that had kept the bishops and Popish lords from the house; that they had aspersed his government, and were endeavouring to deprive him of his royal power; in a word, that they were conspiring to levy war against him, resolved to impeach them of high treason; accordingly his majesty sent his attorney-general to the house with the articles [January 3, 1642], and at the same time despatched officers to their houses to seal up their trunks, papers, and doors; but the members not being ordered into custody, as his majesty expected, the king went himself to the house next day in the afternoon [January 4] to seize them, attended with about two hundred officers and soldiers, armed with swords and pistols; the gentlemen of the inns of court, who had offered their service to defend the king's person, having had notice to be ready at an hour's warning\*. The king having entered the house, went directly to the speaker's chair, and looking about him, said with a frown, "I perceive the birds are fled, but I will have them where-soever I can find them, for as long as these persons are here, this house will never be in the right way that I heartily wish it; I expect therefore, that as soon as they come to the house, that you send them to me." Having then assured the members, that he designed no force upon them, nor breach of privilege, after a little time he withdrew; but as his majesty was going out, many members cried aloud, so as he might hear them, Privilege! privilege! † The house was in a terrible panic while the king was in the chair, the door of the house, with all the avenues, being crowded with officers and soldiers: as soon therefore as his majesty was gone they adjourned till the next day, and then for a week. It was happy that the five members had notice of the king's coming, just time enough to withdraw into the city, otherwise it might have occasioned the effusion of blood, for without doubt the armed soldiers at the door waited only for the word to carry them away by force. Next day his majesty went into the city [January 5] and demanded them of the lord-mayor and court of aldermen then assembled by his order at Guildhall, professing at the same time his resolution to prosecute all who opposed the laws, whether Papists or separatists, and to defend the true Protestant religion which his father professed, and in which he would continue to the end of his life ‡. But though his majesty was nobly entertained by the sheriffs, he now perceived, that this rash and unadvised action had lost him the hearts of the citizens, there being no acclamations or huzzas, as usual, only here and there a voice, as he went along in his coach, crying out, Privilege of parliament! privilege of parliament! However, he persisted in his resolution, and January 8 published a proclamation, commanding all magistrates, and officers of justice, to apprehend the accused members and carry them to the Tower.

\* Whitelocke's Memorials, p. 50.

† Ibid. p. 51.

‡ Rushworth, part 3, vol. 1. p. 479.

It is hard to say with any certainty, who put the king upon this unparalleled act of violence, a species of tyranny which the most arbitrary of his predecessors had never attempted. If his majesty deliberated at all upon what he was going about, we must conclude, that he intended to dissolve the parliament, and to return to his former methods of arbitrary government; because by the same rule that the king might take five members out of the house he might take five hundred; besides, several of the articles laid against them were equally chargeable on the majority of the house. It now appeared, says Rapin\*, that the king was resolved to be revenged on those that had offended him; and that there was no farther room to confide in his royal word. Some say that this was lord Digby's mad project, who, when he found his majesty, after his return out of the city, vexed at his disappointment, offered to go with a select company and bring them dead or alive; but the king was afraid of the consequences of such an enterprise; and Digby being ordered to attend in his place in the house, thought fit to withdraw out of the kingdom. Mr. Echard†, with greater probability, lays it upon the queen and her cabal of Papists; and adds, that when the king expressed his distrust of the affair, her majesty broke out into a violent passion, and said, "Allez, poltron," &c. "Go, coward, and pull those rogues out by the ears, or never see my face any more;" which it seems, says the archdeacon, determined the whole matter.

The citizens of London were so far from delivering up the five members, that they petitioned the king that they might be at liberty, and proceeded against according to the methods of parliament. At the same time they acquainted his majesty with their apprehensions of the ruin of trade, and of the danger of the Protestant religion, by reason of the progress of the rebellion in Ireland, and the number of Papists and other disbanded officers about the court. His majesty, finding he had lost the city, fortified Whitehall with men and ammunition, and sent cannoniers into the Tower to defend it, if there should be occasion‡. When the citizens complained of this, his majesty replied, "that it was

\* Vol. 2. p. 408, 409, folio edition.

† Bishop Warburton is much displeased with Mr. Neal for quoting the authority, and giving in to the opinion, of Echard. For he says, "It was a known and uncontroverted fact, that the advice was Digby's." To invalidate the supposition, that the measure proceeded from the queen's counsels, his lordship urges, that the queen was not capable of any vigorous steps, being intimidated with the fear of an impeachment, and actually projecting her escape: as if danger and alarm were incompatible with concerting and adopting the means of avoiding the threatening evil; as if Digby might not be the ostensible adviser of measures which others suggested and instigated. That he was the sole author of this measure, is not so uncontroverted a fact as the bishop conceived it to be: and it may be alleged in favour of Mr. Neal and Echard, that amongst the divers excuses made for this action, some imputed it to the irritation and counsel of the women; telling the king, "that if he were king of England he would not suffer himself to be baffled about such persons." The notice of this intended step was given to these five gentlemen by a great court lady, their friend; who overheard some discourse about it. Whitelocke's Memorial, p. 50, 51.—ED.

‡ Rapin, vol. 2. p. 408, folio edition.



done with an eye to their safety and advantage ; that his fortifying Whitehall was not before it was necessary ; and that if any citizens had been wounded, it was undoubtedly for their evil and corrupt demeanour." But they had no confidence in the king's protection. A thousand mariners and sailors offered to guard the five members to Westminster by water upon the day of their adjournment [January 11], and the train-bands offered the committee at Guildhall to do the same by land, which was accepted ; and the offer of the apprentices refused. Things being come to this extremity, his majesty, to avoid the hazard of an affront from the populace, took a fatal resolution to leave Whitehall, and accordingly, January 10, the day before the parliament was to meet, he removed with his queen and the whole royal family to Hampton-court, and two days after to Windsor, from whence he travelled by easy stages to York ; never returning to London till he was brought thither as a criminal to execution.

By the king's deserting his capital in this manner, and not returning when the ferment was over, he left the strength and riches of the kingdom in the hands of his parliament ; for next day the five members were conducted by water in triumph to Westminster, the train-bands of the city marching at the same time by land, who, after they had received the thanks of the house, were dismissed ; and serjeant Skippon, with a company of the city-militia, was appointed to guard the parliament-house ; "from this day (says lord Clarendon\*) we may reasonably date the levying war in England, whatsoever has been since done being but the superstructures upon these foundations." It must be considered that two days after [January 12] the king sent a message to the house, waiving his proceedings with respect to the five members, and promising to be as careful of their privileges as of his life or crown ; and a little after offered a general pardon ; but the commons had too much reason at this time not to depend upon his royal promise ; they insisted that the accused members should be brought to their trial in a legal and parliamentary way ; in order to which they desired his majesty to inform them, what proof there was against them ; it being the undoubted right and privilege of parliament, that no member can be proceeded against without the consent of the house ; which his majesty, refusing to comply with, removed farther off to Windsor, and entered upon measures very inconsistent with the peace of the kingdom†.

To return to the bishops : About a fortnight after their commitment [January 17, 1642] they pleaded to the impeachment of the house of commons, "Not guilty in manner and form," and petitioned the lords for a speedy trial, which was appointed for the 25th instant, but was put off from time to time, till the whole bench of bishops was voted out of the house, and then entirely dropped ; for the very next day after their commitment, the com-

\* Vol. I. p. 383.

† Rushworth, part 3, vol. I. p. 492

mons desired the lords to resume the consideration of the bill that had been sent up some months ago, for taking away all temporal jurisdiction from those in holy orders, which the lords promised: it had passed the commons without any difficulty, about the time of the Irish insurrection, and was laid aside in the house of lords, as being thought impossible to pass while the bishops' votes were entire: when it was revived at this juncture, the earl of Bedford and the bishop of Rochester made a vigorous stand against it\*. His lordship urged, that it was contrary to the usage of parliament when a bill had been once rejected to bring it in a second time the same session. To which it was replied, that it was not the same bill [having a new title], though it was to accomplish the same end. Besides, the distress of the times required some extraordinary measures for their redress; and farther, since the king had been graciously pleased to pass an act for the continuance of this parliament as long as they thought fit to sit, and thereby parted with his right of proroguing or dissolving them, the nature of things was altered, and therefore they were not to be tied down to the ordinary forms in other cases. The question being put, whether the bill should be read, it passed in the affirmative; upon which the consideration of it was resumed, and after some few debates the bill was passed by a very great majority, February 6, 1641—2; the citizens of London expressing their satisfaction by ringing of bells and bonfires. But it was still apprehended that the king would refuse his assent, because when he had been pressed to it his majesty had said, it was a matter of great concernment, and therefore he would take time to consider; however, the commons, not content with this delay, sent again to Windsor, to press his compliance upon the following reasons: "Because the subjects suffered by the bishops exercising temporal jurisdiction, and making a party in the house of lords; because it was apprehended that there would be a happy conjunction of both houses upon the exclusion of the bishops; and the signing this bill would be a comfortable pledge of his majesty's gracious assent to the future remedies of those evils which were to be presented to him †."

This message from the house of commons was seconded by those of greatest trust about the king, who argued, "that the combination against the bishops was irresistible; that the passing this bill was the only way to preserve the church; and that if the parliament was gratified in this, so many persons in both houses would be fully satisfied that they would join in no farther alterations; but if they were crossed in this, they would endeavour an extirpation of the bishops and a demolishing of the whole fabric of the church." They argued farther, "that force or indirect means having been made use of to obtain the bill, the king might by his power bring the bishops in again when the present distempers were composed." An argument by which his majesty might have

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\*arendon, vol. 1, p. 302. 416.

† Ibid. p. 427.



set aside all his concessions, or acts of grace (as he pleased to call them), to his parliament at once. But none of these reasons would have prevailed, had not the queen made use of her sovereign influence over the king. Her majesty was made to believe by sir J. Culpeper, that her own preservation depended upon the king's consent to the bill; that if his majesty refused it, her journey into Holland would be stopped, and her person possibly endangered by some mutiny or insurrection; whereas the using her interest with the king, would lay a popular obligation upon the kingdom, and make her acceptable to the parliament. These arguments carrying a face of probability, her majesty wrested the king's resolution from him, so that the bill was signed by commission, February 14, together with another against pressing soldiers, his majesty being then at Canterbury, accompanying the queen in her passage to Holland. But his majesty's signing them with so much reluctance did him a disservice\*. All men took notice of his discontent; and lord Clarendon says†, he has cause to believe that the king was prevailed with to sign them, "because he was told, that there being violence and force used to obtain them, they were therefore in themselves null, and in quieter times might easily be revoked and disannulled." A dangerous doctrine, as it may tend to overthrow the most established laws of a country! To give the reader the act itself:

"Whereas bishops and other persons in holy orders, ought not to be entangled with secular jurisdiction, the office of the ministry being of such great importance that it will take up the whole man. And for that it is found by long experience, that their intermeddling with secular jurisdictions hath occasioned great mischiefs and scandals both to church and state, his majesty, out of his religious care of the church and souls of his people, is graciously pleased that it be enacted, and by authority of this present parliament be it enacted, that no archbishop or bishop, or other person that now is or hereafter shall be in holy orders, shall at any time after the 15th day of February, in the year of our Lord 1642, have any seat or place, suffrage or vote, or use or execute any power or authority, in the parliaments of this realm, nor shall be of the privy-council of his majesty, his heirs or successors, or justices of the peace of oyer and terminer or jail-delivery, or execute any temporal authority, by virtue of any commission; but shall be wholly disabled, and be incapable to have, receive, use, or execute, any of the said offices, places, powers, authorities, and things aforesaid.

"And be it further enacted by the authority aforesaid, that all acts from and after the said 15th of February, which shall be done or executed by any archbishop or bishop, or other person whatsoever in holy orders; and all and every suffrage or voice

\* Rushworth, part 3. vol. 1. p. 552.

† Vol. 1. p. 429, 430,

given or delivered by them or any of them, or other thing done by them or any of them, contrary to the purport and true meaning of this act, shall be utterly void to all intents, constructions, and purposes."

Thus the peerage of the bishops and the whole secular power of the clergy, ceased for about twenty years; how far they contributed to it by their pride and ambition, their sovereign contempt of the laity, and indiscreet behaviour towards their Protestant brethren, has been already observed. Their enemies said the hand of God was against them, because they had given too much countenance to the ridiculing of true devotion and piety, under the name of godly Puritanism \*; because they had silenced great numbers of ministers eminent for learning and religion, for not complying with certain indifferent rites and ceremonies, while others who were vicious and insufficient for their office, were encouraged; because they made a stricter inquiry after those who fasted and prayed, and joined together in religious exercises, than after those who were guilty of swearing, drunkenness, and other kinds of debauchery; because they discouraged afternoon sermons and lectures, and encouraged sports and pastimes on the Lord's day; because they had driven many hundred families out of the land; and were, upon the whole, enemies to the civil interests of their country. Others observed, that most of them verged too much towards the see of Rome, and gave ground to suspect that they were designing a union between the two churches, which at a time when the Roman Catholics in Ireland had imbrued their hands in the blood of almost two hundred thousand Protestants, and were so numerous at home as to make large and public collections of money to support the king in his war against the Scots, was sufficient to make every sincere Protestant jealous of their power. Besides, the bishops themselves had been guilty of many oppressions; they had in a manner laid aside the practice of preaching, that they might be the more at leisure for the governing part of their function; though even here they devolved the whole of their jurisdiction upon their chancellors and under officers†. They did not sit in their consistories to hear complaints, or do justice either to clergy or laity, but turned over the people to registrars, proctors, and apparitors, who drew their money from them against equity and law, and used them at discretion. Few or none of them made their visitations in person, or lived in their episcopal cities: by which means there was no kind of hospitality or liberality to the poor. Divine service in the cathedrals was neglected or ill performed, for want of their presence and inspection. Instead of conferring orders at the mother-church, they made use of the chapels of their private houses, without requiring the assistance of their deans and chapters upon such solemn

\* Baxter's History, Life, and Times, p. 33.

† Collyer's Ecclesiastical History, vol. 2. p. 820.



occasions; they pronounced the censures of deprivation and degradation in a monarchal and absolute manner, not calling in the deans and chapters to any share of the administration. And upon the whole, they did little else but receive their rents, indulge their ease, consult their grandeur, and lord it over their brethren. These were the popular complaints against them, which made the citizens rejoice at their downfall, and attend the passing the bill with bonfires and illuminations. However, if all these things had not concurred in a nice and critical juncture of affairs, the attempts of the house of commons would have been in vain; neither the king nor peers being heartily willing to deprive them of their seats in parliament. This was one of the last bills the king passed; and the only law which he enacted in prejudice of the established church\*. Here his majesty made a stand, and by a message sent to both houses, desired not to be pressed to any one single act farther, till the whole affair of church-government and the liturgy was so digested and settled, that he might see clearly what was fit to remain, as well as what was fit to be taken away.

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## CHAPTER XI.

### FROM THE KING'S LEAVING WHITEHALI, TO THE COMMENCEMENT OF THE CIVIL WAR.

ALL things now tended to a rupture between the king and parliament; the legislature being divided and the constitution broken. While the royal family was at Hampton-court, the officers and soldiers who were quartered about Kingston, to the number of two hundred, made such disturbances, that the militia of the country was raised to disperse them. After a few days the king removed to Windsor, where a cabinet-council was held in presence of the queen, in which, besides the resolution of passing no more bills, already mentioned, it was further agreed, that her majesty being to accompany the princess her daughter to Holland, in order to her marriage with the prince of Orange, should take with her the crown jewels, and pledge them for ready money; with which she should purchase arms and ammunition, &c. for the king's service. She was also to treat with the kings of France and Spain for four thousand soldiers, by the mediation of the pope's nuncio. It was farther resolved, that his majesty should come to no agreement with the parliament, till he understood the success of her negotiations, but should endeavour to get possession of the important fortresses of Portsmouth and Hull, where the arms and artillery of the late army in the north were deposited. Mr.

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\* Rushworth, part 3. vol. 1. p. 554.

Echard says it was resolved, that the queen should remove to Portsmouth, and the king to Hull; that being possessed of those places of strength, where his friends might resort to him with safety, he should sit still till the hot spirits at Westminster could be brought to reason\*; but this important secret being discovered, the parliament entered upon more effectual measures for their safety: they sent to Col. Goring, governor of Portsmouth, not to receive any forces into the town but by authority of the king, signified by both houses of parliament. Sir John Hotham was sent to secure the magazine at Hull; and a guard was placed about the Tower of London, to prevent the carrying out any ordnance or ammunition without consent of parliament. Lord Clarendon, and after him Mr. Echard, censure the two houses for exercising these first acts of sovereignty; how far they were necessary for their own and the public safety, after what had passed, and the resolutions of the councils at Windsor, I leave with the reader.

The command of the militia had been usually in the crown; though the law had not positively determined in whom that great power was lodged, as Mr. Whitelocke undertook to prove before the commissioners at Uxbridge†; the king claimed the sole disposal of it, whereas the parliament insisted that it was not in the king alone, but in the king and parliament jointly; and that when the kingdom is in imminent danger, if the royal power be not exerted in its defence, the military force may be raised without it. But waiving the question of right, the parliament desired the command of the militia might be put into such hands as they could confide in only for two years, till the present disorders were quieted. This the king refused, unless the house would first give up the question of right, and vest the sole command of the militia in the crown by form of law; which the parliament declined, and voted the advisers of that answer enemies of the kingdom.

Multitudes of petitions were presented to the houses from the city of London, and from the counties of Middlesex, Hertford,

\* Rapin, vol. 2. p. 433, folio edition.

† "In the treaty at Uxbridge, printed in king Charles's works, and in Dugdale's Short View of the Troubles of England, and separate by itself in quarto by Litchfield 1645, I can find (says Dr. Grey) no such offer of proof made by Mr. Whitelocke." This is true, and the reason may be assigned; the piece referred to exhibits only the requisitions on one side, and the answers on the other, without going into the detail of matters that were the subjects of conversation merely; but because the assertion of Mr. Neal be not found in the Relation of the Treaty of Uxbridge, and he subjoins no authority for it, Dr. Grey adds, "he will not I hope take it amiss, if we do not implicitly take his word." The reader will judge of the candour and liberality of this insinuation, when he is informed that Mr. Neal spoke on the best authority, that of Mr. Whitelocke himself, Memorials, p. 124; who farther tells us, that a motion was made to appoint a day to hear him and sir Edward Hyde (who advanced the doctrine of the king's absolute power over the militia) debate the point; but by the interference of the earl of Southampton, and some other gentlemen, the debate was declined. But the commissioners of both kingdoms on their return to their quarters, gave Whitelocke thanks, "the honour of parliament was concerned therein, and vindicated by  
Ed.



Essex, &c. \* beseeching them to provide for the safety of the nation, by disarming Papists, by taking care of the Protestants in Ireland, by bringing evil counsellors to punishment, by putting the kingdom into a posture of defence, and by committing the forts and castles of the kingdom to such persons as both houses could confide in; but their hands were tied, because the king, who has the sole execution of the laws, would act no longer in concert with his parliament. The commons, encouraged by the spirit of the people, petitioned a second time for the militia, and framed an ordinance, with a list of the names of such persons in whom they could confide. His majesty, in order to amuse the house and gain time, told them, "that he could not divest himself of that just power that God and the laws of the kingdom had placed in him for the defence of his people, for any indefinite time." After this they presented a third petition to the king at Theobald's [March 1], in which they protest, "that if his majesty persists in that denial, the dangers and distempers of the kingdom were such as would endure no longer delay; and therefore, if his majesty will not satisfy their desires, they shall be enforced, for the safety of the kingdom, to dispose of the militia by authority of both houses of parliament, and they resolve to do it accordingly †;" beseeching his majesty at the same time to reside near his parliament. The king was so inflamed with this protestation, that he told them, "he was amazed at their message, but should not alter his resolution in any point ‡." And instead of residing near his parliament he removed to Newmarket, and by degrees to York. Upon this the commons voted, March 4, "that the kingdom be forthwith put into a posture of defence by authority of both houses, in such a way as is already agreed upon by both houses of parliament §;" and next day they published an ordinance for that purpose. March 9, both houses presented a

\* Dr. Grey observes, with a sneer, that among these petitions were some remarkable ones; namely, one from the porters, fifteen thousand in number; another in the name of many thousands of the poor people; and a third from the tradesmen's wives in and about the city of London, delivered by Mrs. Anne Stagge, a brewer's wife. "These petitions (says the doctor) would have been worthy a place in Mr. Neal's curious collection." The contempt which Dr. Grey casts on these petitions will not appear generous or just to one who reflects on the objects of these petitions, which were highly interesting; who estimates things not by the fluctuation and factitious claims of rank and wealth, but by the standard of reason and rectitude; and who respects the rights of property, how small soever that property be, of security, and of conscience, which attach themselves to every class and order of men. With respect to the petition of the virtuous matrons, and the respect with which it was treated by parliament, who commissioned Mr. Pym to return an answer in person, both are sanctioned by the Roman History: the legislature of that great empire, when towering to its utmost splendour, received and encouraged the petitions of women. Macaulay's History of England, vol. 3. p. 187, 188, the note. The female petitioners, in the instance before us, by their public spirit and the share they took in the common calamities produced by oppression, did honour to themselves and their sex; and the conduct of the house towards them was not less politic than complaisant.—ED.

† Rushworth, part 3. vol. 1. p. 523.

Ibid. p. 524.

§ Rapin, vol. 2. p. 419; folio ed.

declaration to the king at Newmarket, "expressing the causes of their fears and jealousies, and their earnest desires, that his majesty would put from him those wicked and mischievous counsellors, that have caused these differences between him and his parliament; that he would come to Whitehall, and continue his own and the prince's residence near his parliament, which he may do with more honour and safety than in any other place. We beseech your majesty (say they) to consider in what state you are, and how easy the way is to happiness, greatness, and honour, if you will join with your parliament: this is all we expect, and for this we will return you our lives and fortunes, and do every thing we can to support your just sovereignty and power. But it is not words alone that will secure us; that which we desire is some real effect in granting those things that the present necessities of the kingdom require." They add farther, "that his majesty's removal to so great a distance not only obstructed the proceedings of parliament, but looked like an alienation of the kingdom from himself and family \*." His majesty's best friends advised him to take this opportunity of returning to London; "and it must be solely imputed to his majesty's own resolution (says lord Clarendon) that he took not that course;" but instead of this he broke out into a passion, and told them, he had his fears for the true Protestant profession and the laws as well as they: "What would you have? (says his majesty). Have I violated your laws, or denied to pass any bill for the ease of my subjects? I do not ask what you have done for me. God so deal with me and mine, as my intentions are upright for maintaining the true Protestant profession and the laws of the land." Being asked by the earl of Pembroke, whether he would not grant the militia for a little time, his majesty swore by God, "No, not for an hour." When he was put in mind of his frequent violation of the laws, his majesty replied, "that he had made ample reparation, and did not expect to be reproached with the actions of his ministers†."

As his majesty insisted upon the militia, he claimed also an inalienable right to all the forts and garrisons of the kingdom, with an uncontrollable power to dispose of the arms and ammunition laid up in them, as his proper goods. This the parliament disputed, and maintained, that they were his majesty's only in trust for the public, and that in discharge of this trust the parliament sitting are his counsellors; for if the king had such a property in the forts and magazines as he claimed, he might then sell or transfer them into the enemy's hand as absolutely as a private person may his lands and goods; which is a strange maxim, and contrary to the act of 40 Edw. III.

Many declarations passed between the king and his parliament on this argument, while each party were getting possession of all that they could. The king was contriving to make

\* Rushworth, part 3. vol. 1. p. 528.

† Ibid. p. 533.



sure of the magazine of Hull, but the parliament were beforehand with his majesty, and not only secured that important fortress, but got the command of the fleet [March 31], which submitted to the earl of Warwick, whom the parliament appointed to be their admiral.

The ordinance of March 5, for disposing of the militia by both houses of parliament without the king, in cases of extreme danger to the nation, of which danger the two houses were the proper judges, with the subsequent resolution of March 16, were the grand crises which divided the house into two parties. Mr. Hyde, afterward lord Clarendon, Mr. Bridgeman, Mr. Palmer, and other eminent lawyers and gentlemen, having given their opinion against the ordinance, quitted their seats, and retired to the king. On the other hand, serjeant Maynard, Whitelocke, Glyn, Selden, the lord-keeper Littleton, Mr. Lee, St. John, Grimston, and divers others of no less judgment in law, and of a superior interest in their country, accepted of commissions in the militia, and continued in the service of the parliament. Many retired to their country-seats, and were for standing neuter in this nice conjuncture; but those that remained in the house were about three hundred, besides fifty that were employed in the country, and about fifty more absent with leave; the rest went over to the king, and were some time after expelled the house. But from this time the sitting members were more resolute, and met with less opposition.

March 15, his majesty acquainted the houses from Huntingdon, with his design to reside for some time at York; and adds, that he expected, "they should pay a due regard to his prerogative, and to the laws established: and that none of his subjects should presume, under colour of any order or ordinance of parliament to which his majesty is not a party, to do or execute what is not warrantable by the laws." His majesty's intention, by this message, was to put a stop to all farther proceedings of the parliament, for their own and the nation's security, till they had digested all their grievances into a body. Upon receiving this declaration both houses came to these resolutions among others:

March 16, Resolved, "That those who advise his majesty to absent himself from the parliament, are enemies to the peace of the kingdom, and justly suspected to be favourers of the rebellion in Ireland \*."

Resolved, "That the ordinance of parliament for the militia is not inconsistent with the oath of allegiance; but that the several commissions granted by his majesty under the great seal to the lieutenants of the several counties, are illegal and void †."

Resolved, "That in cases of extreme danger, and of his majesty's refusal to act in concert with his parliament, the people ought, by the fundamental laws of the kingdom, to obey the

\* Rushworth, p. 534.

† Rapin, vol. 2. p. 422, folio edit.

ordinance of both houses concerning the militia; and that such persons as shall be appointed deputy-lieutenants, and are approved by both houses, ought to take upon them to execute their offices."

It was resolved farther, "That the two houses of parliament being the representative body of the whole nation, and two parts in three of the legislature, were the proper judges of the state and condition of it."

Resolved, "That when both houses agreed that the nation was in extreme danger, as they now did, the king was obliged, by the laws of nature as well as by the laws of the land, to agree to those remedies which they who are his great council should advise him to. This seems evident from the statute of 25 Edw. III. entitled, the statute of provisors of benefices, which says, 'that the right of the crown of England, and the laws of the realm, are such, that upon the mischiefs and damages that happen to this realm, our sovereign lord the king ought, and is bound by his oath, with the accord of his people in parliament, to ordain remedy for removing thereof \*.'

Resolved, "That if in such a time of danger his majesty deserts his parliament, or refuses to concur with them in ordaining such remedies as are absolutely necessary for the common safety, then the two houses ought to look upon themselves as the guardians of the people, and provide for their defence.

Resolved, "That when the lords and commons, which is the supreme court of judicature in the kingdom, shall declare what the law of the land is; to have this not only questioned but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of parliament."

His majesty on the other hand averred, "that the kingdom was in no danger, but from the arbitrary proceedings of the parliament, who were invading the royal prerogative, and subverting the constitution in church and state.

"That if the kingdom was really in danger, he was the guardian and protector of his people, and was answerable to God only for his conduct; but that parliaments were temporary and dissolvable at his pleasure: that he should therefore consider them as his counsellors and advisers, but not his commanders or dictators."

His majesty admitted, "that in some doubtful cases the parliament were judges of the law, but he did not think himself bound to renounce his own judgment and understanding, by passing laws that might separate from his crown that which was in a manner essential to it, viz. a power to protect his subjects."

To which the commons replied, "that the king alone could not be judge in this case, for the king judges not matters of law but by his courts; nor can the courts of law be judges of the state of the kingdom against the parliament, because they are inferior; but

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\* Rushworth, p. 669.



as the law is determined by the judges, who are the king's council, so the state of the nation is to be determined by the two houses of parliament, who are the proper judges of the constitution. If therefore the lords and commons in parliament assembled declare this or the other matter to be according to law, or according to the constitution of the kingdom, it is not lawful for any single person or inferior court to contradict it\*."

But instead of tiring the reader with a long paper war in support of these propositions, I will make one general remark, which may serve as a key to the whole controversy. If we suppose the kingdom to be in its natural state, after the king had withdrawn from his parliament, and would act no longer in concert with them—If the constitution was then entire, and the most considerable grievances redressed—If the laws in being were a sufficient security against the return of Popery and arbitrary power, and there was good reason to believe those laws would have their free course;—then the king's arguments are strong and conclusive; for in all ordinary cases, the administration of justice, and the due execution of the laws, is vested in the crown; nor may the lords and commons in parliament make new laws, or suspend and alter old ones, without his majesty's consent. But on the other hand, if in the opinion† of the lords and commons in parliament assembled, who are the representatives of the whole nation, the constitution is broken; by the king's deserting his two houses, and resolving to act no longer in concert with them, or by any other overt acts of his majesty's council, inconsistent with the constitution; or if both houses shall declare‡ the religion and liberties of the nation to be in imminent danger, either from foreign or domestic enemies, and the king will not concur with his parliament to apply such remedies as the wisdom of his two houses shall think necessary;—then certainly, after proper petitions and remonstrances, they may from the necessity of the case provide for the public safety, as much as in the case of nonage or captivity of the prince. In order therefore to decide in the present controversy, we must make an estimate of the true condition of the nation; whether it was in its natural state; or whether the constitution being divided and broken by the king's deserting his parliament, the legal form of government was not dissolved? In the former case I apprehend the king was in the right; in the latter, the parliament.

This unhappy controversy was managed with great warmth and mutual reproaches, though with this decency, that the king did

\* Rushworth, part 3. vol. 1. p. 698. Rapin, p. 477.

† It should rather be—if, according to the opinion—of the lords and commons, &c.—Ed.

‡ Rather—if, as both houses shall declare, the religion and liberties of the nation be in imminent danger,—&c. The controversy turns not on the opinion and declaration of the two houses, but on the truth of the facts stated. And these amendments preserve the contrast between the opposite parts of Mr. Neal's proposition: which he is very politely represented by Bishop Warburton as not knowing how to state.—Ed.

not charge his parliament with criminal designs, but only a malignant party in both houses; nor did the parliament reproach the person of the king, but laid all their grievances upon his evil counsellors; however, it is easy to observe, that it was impossible the two parties should agree, because they reasoned upon a different principle; the king supposing the nation was in a sound state, and that therefore the laws ought to take their natural course; the parliament apprehending the constitution broken, and that therefore it was their duty to provide for the public safety, even without the king's concurrence. But we shall have more light into this controversy hereafter.

To return to the history. Though the Scots were made easy at home, being in full possession of their civil and religious rights, yet they could not remain unconcerned spectators of the ruin of the English parliament, partly out of gratitude for the favours they had received, and partly from an apprehension that the security of their own settlement, as well as the introducing their kirk-discipline into England, depended upon it. While the king was at Windsor, the Scots commissioners at London offered their mediation between his majesty and his two houses: in their petition they tell his majesty, "that the liberties of England and Scotland must stand and fall together;" and after some expressions of grief for the distractions of England, which they conceive to arise from the plots of the Papists and prelates, whose aim has been not only to prevent any farther reformation, but to subvert the purity and truth of religion; they offer their service to compose the differences, and beseech his majesty "to have recourse to the faithful advice of both houses of parliament, which will not only quiet the minds of his English subjects, but remove the jealousies and fears that may possess the hearts of his subjects in his other kingdoms." In their paper of the same date to both houses of parliament, January 15, "they return thanks to the parliament of England for the assistance given to the kingdom of Scotland in settling their late troubles; and next to the providence of God and his majesty's goodness, they acknowledge their obligations to the mediation and brotherly kindness of the English parliament; and now by way of return, and to discharge the trust reposed in them, they offer their mediation between them and the king, beseeching the houses to consider of the fairest and most likely methods to compose the differences in church and state." Bishop Burnet says, their design was to get episcopacy brought down and presbytery set up, to the first of which most of the members were willing to consent, but few were cordial for the latter.

The king was highly displeased with the Scots mediation, and sent them word that the case of England and Scotland was different; in Scotland, says his majesty, episcopacy was never fully settled by law, and is found to be contrary to the genius of the people; but in England it is rooted in the very constitution, and has flourished without interruption for eighty years; he therefore



commands them not to transact between him and his parliament, without first communicating their propositions to him in private. At the same time his majesty sent letters into Scotland, and ordered the chancellor to use his utmost efforts to keep that kingdom to a neutrality. On the other hand, the parliament threw themselves into the arms of the Scots; they thanked the commissioners for their kind and seasonable interposition, and prayed them to continue their endeavours to remove the present distractions, and to preserve the union between the two kingdoms. They wrote likewise into Scotland to the same purpose; the effects of which will appear at the next meeting of their parliament.

In the meantime, the lords and commons, in order to encourage the expectations of their friends in both kingdoms, published the following declaration of their intentions:

*“Die Sabbati, April 9, 1642.*

“The lords and commons declare, that they intend a due and necessary reformation of the government and discipline of the church, and to take away nothing in the one but what will be evil and justly offensive, or at least unnecessary and burdensome; and for the better effecting thereof, speedily to have consultation with godly and learned divines; and because this will never of itself attain the ends sought therein, they will use their utmost endeavours to establish learned and preaching ministers, with a good and sufficient maintenance throughout the whole kingdom, wherein many dark corners are miserably destitute of the means of salvation, and many poor ministers want necessary provision.”

This declaration was ordered to be published by the sheriffs of the several counties, for the satisfaction of the people.

The distance between London and York increased the misunderstanding between the king and his parliament; numbers of passengers travelling between the two places with secret intelligence, the parliament appointed the following oath to be taken by all who came from the king's quarters.

“I, A. B., do swear from my heart, that I will not, directly or indirectly, adhere unto or willingly assist the king in this war, or in this cause against the parliament, nor any forces raised without consent of the two houses of parliament, in this cause or war. And I do likewise swear, that my coming, and submitting myself under the power and protection of parliament, is without any manner or design whatsoever to the prejudice of the proceedings of this present parliament, and without direction, privity, or advice, of the king, or any of his council or officers, other than I have made known. So help me God and the contents of this book.”

This was called the negative oath, and was voted April 5, 1642.

As soon as the correspondence was thus interrupted, numbers of libellous newspapers, mercuries, and weekly intelligencers,

began to appear full of scandal and reproach, whereby the conduct of great and wise men was aspersed, innumerable false reports spread through the nation, and the spirits of the people sharpened for war. On the side of the king was *Mercurius Aulicus*; and on the side of the parliament *Mercurius Britannicus*: when the king fixed his court at Oxford, the learned garrison drew their pens for the king, as the politicians of London did for the parliament; and while the armies were in the field, these gentlemen employed themselves in celebrating their wonderful exploits to the people; so that beside the above-mentioned weekly papers, there appeared *Mercurius Rusticus*—*Pragmaticus*—*Publicus*—diurnals and intelligencers without number. The pulpits also were employed in the same work; the preachers dealt too much in politics, and made free with the characters and actions of their superiors: there were incendiaries on both sides: the king's preachers enhanced his majesty's character, and treated the parliament as rebels and traitors\*; and the parliament-ministers were no less culpable, for though they avoided speaking disrespectfully of the person of the king, they declaimed against the hierarchy, against evil and Popish counsellors, and glanced at the queen herself, as preventing the harmony between his majesty and the parliament, and pushing him upon measures that were destructive to the Protestant religion and the constitution of their country; which, how true soever in itself, was a subject very unfit for the pulpit.

The great resort of the nobility and gentry to the court at York, gave his majesty new life, and encouraged him to treat his parliament with very sovereign language; he sent them word, that "he would have nothing extorted from him; nor would he grant them any thing farther than the law had put into his hands.†" At the same time his majesty attempted to seize upon the magazine of Hull, pursuant to the scheme formed at Windsor in January last; and accordingly appeared before the town with three hundred horse, April 23, but was denied entrance with more than twelve attendants; whereupon, after an hour's time allowed for deliberation, his majesty caused sir John Hotham the governor to be proclaimed a traitor by two heralds at arms, and then retired to York full of resentment for the affront he had received, which he did not fail to communicate to the parliament, demanding justice against sir John Hotham according to law; however, the parliament stood by their governor, and ordered the arms and ammunition in Hull to be removed to the Tower of London, except what was necessary for the defence of the place.

Upon his majesty's return to York, he commanded the committee of parliament, which were spies upon his actions, to retire to London, but they excused themselves, as being ordered to continue by those who employed them. His majesty also sum-

\* Rushworth, part 3. vol. 1. p. 760.

† Rapin, p. 354.



moned the nobility and gentry of the northern counties to meet him at York [May 12], when he acquainted them with his reasons for refusing the militia-bill, and with the treasonable behaviour of sir John Hotham in keeping him out of Hull, and depriving him of his magazine, being his own proper goods. "Since treason is countenanced so near me (says his majesty,) it is time to look to my safety; none can blame me to apprehend danger, I am therefore resolved to have a guard——." The gentry were divided in their sentiments about the king's conduct, and gave answers as they were differently affected, though all were willing to serve his majesty according to law. After several other assemblies of the nobility, gentry, freeholders, and ministers of York, had been held by his majesty's command, in all which he declared, that "he was resolved to defend the true Protestant religion established in the reign of queen Elizabeth; to govern by law for the future; and that he had no intention to make war with his parliament, except it were in way of defence \*;" a regiment of horse was raised for the security of his majesty's person, and the command given to the prince of Wales. This was the first levy of troops in the civil war, his majesty having as yet only a regiment of the militia of six hundred men, besides the reformadoes that attended the court.

About the same time [May 17] the king ordered the courts of justice to remove from Westminster to York, and sent for serjeant-major Skippon, an old experienced officer, to attend him in person, which the parliament prevented; but were not so successful in relation to the great seal, which the keeper sent privately to the king by the messenger that came for it [May 22,] and next day followed himself. This was a sensible disappointment to the parliament, especially as it was attended with the loss of nine other peers, who deserted their stations in the house about the same time, and went over to the king, as did considerable numbers of the commons, his majesty having now given orders to all his friends to leave the house and repair to him, which, instead of breaking up the parliament, as was intended, strengthened the hands of the country party, and gave them an opportunity after some time of expelling the deserters.

Things being come to this crisis, the parliament voted, May 20, "that it was now apparent that the king, seduced by wicked counsel, intended to make war upon the parliament.—That whensoever the king maketh such war it is a breach of trust, contrary to his coronation oath, and tending to the dissolution of the government.—That whosoever shall serve or assist his majesty in such war are traitors, and have been so adjudged by two acts of parliament, 11 Rich. II. and 1 Henry IV.—May 28, they ordered all sheriffs and justices of peace, &c. to make stay of all arms and ammunition carrying to York, and to disperse all forces coming together by the king's commission."

\* Rushworth, part 3, vol. 1. p. 615, 624. Rapin, vol. 2, p. 434, 435, fol. ed.

To justify their respective proceedings, both parties published their reasons to the world; a summary of which being contained in the parliament's memorial of May 19, and the king's answer, I shall give the reader an abstract of them.

The parliament in their memorial avow, in the presence of the all-seeing Deity, "that the sincerity of their endeavours has been directed only by the king's honour and the public peace, free from all private aims, personal respects and passions whatsoever. They complain of his majesty's being drawn into the north, far from his parliament, which has given occasion to many false rumours and scandalous reports, to the interrupting the good understanding between the king and his parliament.—They take notice of those evil counsellors which have prevailed with his majesty to make infractions upon his royal word, as that, 'On the word of a king, and as I am a gentleman, I will redress the grievances of my people.—I am resolved to put myself on the love and affection of my English subjects.—We do engage solemnly, on the word of a king, that the security of all, and every one of you, from violence, is and shall be as much my care, as the preservation of us and our children.' Since which time the studies and chambers of some of the members had been broken open, and six of them attempted to be seized in the parliament-house, the blame of which they are willing to impute to his evil counsellors. And though the king disavows such counsellors, we hold it our duty (say they) humbly to avow, there are such, else we must say, that all the ill things done in his majesty's name have been done by himself, wherein we should neither follow the direction of the law, which says, the king can do no wrong; nor the affection of our own hearts, which is to clear his majesty as much as may be of all misgovernment, and to lay the fault upon his ministers \*. If any ill be done in matters of state the council are to answer for it, and if any matters of the law judges. They acknowledge the many excellent acts that his majesty had lately passed for the advantage of his subjects," but then add, "that in none of them have they bereaved his majesty of any just, necessary, or profitable prerogative of the crown. They declare their disallowance of all seditious libels, but complain of many mutinous petitions that have been presented to the king to divide him from his parliament; and whereas the king had insinuated, that the church was to be destroyed to make way for presbytery, they aver, that they desire no more than to encourage piety and learning, and to place learned and pious preachers in all parishes, with a sufficient maintenance. Upon the whole they aver the kingdom to be in imminent danger from enemies abroad, and a Popish and discontented party at home, and that in such a case the kingdom must not be without means to preserve itself. They aver that the ordinary means of providing for the public safety is in the

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\* Rushworth, part 3, vol. 1. p. 693.



king and parliament \*; but because the king, being only a single person, may be liable to many accidents, the wisdom of the state in such cases has intrusted the two houses of parliament to supply what shall be wanting on the part of the prince, as in cases of captivity, nonage, or where the royal trust is not discharged; which the lords and commons having declared to be the present case, there needs no farther authority to affirm it; nor is it in the power of any person at court to revoke that judgment. They then mention some proofs of the nation's danger, and conclude with praying for the protection of Almighty God upon the king, and beseech his majesty to cast from him his evil counsellors, assuring him and the whole kingdom, that they desire nothing more than to preserve the purity and power of religion, to honour the king in all his just prerogatives, and to endeavour to the utmost of their power, that all parishes may have learned and pious preachers, and those preachers competent livings. And they doubt not to overcome all difficulties, if the people do not desert them to their own undoing; and even in this cause, they declare they will not betray their trust, but look beyond their own lives and estates, as thinking nothing worth enjoying without the liberty, peace, and safety, of the kingdom, nor any thing too much to be hazarded for the obtaining of it †.

His majesty, in his answer, is not willing to charge his parliament with misbehaviour, but only a malignant party in both houses. He denies the several plots and conspiracies mentioned in their declaration, and takes notice of their misapplying the word "parliament" to the vote of both houses, whereas the king is an essential part of the parliament. His majesty confesses that his going to the house of commons to seize the five members was an error in form, but maintains the matter of the accusation to be just, and therefore thinks he ought not to be reproached with it. He neither affirms nor denies the design of bringing the army to London, but quibbles with the words "design" and "resolution," as Rapin observes, king Charles I. being very skilful in such sort of ambiguities. His majesty made no reply to the parliament's reasoning upon the head, of the king's neglecting to discharge his trust, but seems to insinuate, that the parliament should in no case meddle with the government without an express law. He denies his knowledge of any evil counsellors about him; and declares that he did not willingly leave his parliament, but was driven away by the tumults at Whitehall; and adds, that by the help of God and the laws of the land, he would have justice for those tumults; nor does his majesty own the promoting or retaining in his service any who are disaffected to the laws of the kingdom; but he will not take a vote of parliament for his guide, till it is evident they are without passion or affection. The king charges them home with the greatest violation of the laws and liberties of the subject.

\* Rushworth, part 3, vol. 1. p. 699.

† Ibid. vol. 1. p. 704. Rapin, vol. 2. p. 442, folio.

"What is become of the law that man was born to? (says he). And where is magna charta, if the vote of parliament may make a law?" His majesty concludes with a severe remark on the parliament's calling the petitions presented to him "mutinous." "Hath a multitude of mean inconsiderable people about the city of London had liberty to petition against the government of the church, against the Book of Common Prayer, &c. and been thanked for it? And shall it be called mutiny in the gravest and best citizens in London, and gentry of Kent, to frame petitions to be governed by the known laws of the land, and not by votes of parliament? Is not this evidently the work of a faction? Let heaven and earth, God and man, judge between us and these men!"

The reader will judge of the weight of these declarations according to a former remark. The parliament supposes the "nation in imminent danger, and the royal power not exerted in its defence;" in which case they, as guardians of the people, apprehend themselves empowered to act in its defence. The king supposes the nation to be in its natural state, and in no manner of danger, but from a malignant party within the two houses, and that therefore the laws should have their free and ordinary course. Upon these contrary suppositions the arguments on both sides are invincible: but (as has been already observed) it was impossible they should produce any good effect, till it was first agreed whether the nation was in danger, or whether the royal promise might be relied upon with safety.

On the 2nd of June the parliament presented the king with the sum of all their desires for the reformation and security of church and state, in nineteen propositions, according to his majesty's command in January last. Those which relate to the state are built upon the supposition above mentioned, that the nation was in imminent danger; and that after so many infractions of the royal word, it was not to be relied upon for the execution of the laws but in conjunction with the parliament. They therefore pray, "that his majesty's privy-councillors, commanders of forts and garrisons, and all the great officers of state, may be approved by the two houses; that the judges may hold their places *quam diu se bene gesserint*; that the militia may be in the hands of the parliament for the present; that all public business may be determined by a majority of the council; and that they may take an oath to maintain the petition of right, and such other laws as shall be enacted this present session. They pray that the justice of parliament may pass upon delinquents; that the lord Kimbolton and the five members may be effectually cleared by act of parliament, and that his majesty would enter into alliances with foreign princes for the support of the Protestant religion," &c. It is hard to express his majesty's resentment against all these propositions (except the two last), which he says were fit only to be offered to a vanquished prisoner; that he were unworthy of his noble descent if he should part with such flowers of the crown as are worth all the rest of the



garland, "If these things are granted (says he) we may have the title of a king, and be waited upon bareheaded; we may have our hand kissed, and have swords and maces carried before us, but as to real power we should remain but the outside, the picture, the sign, of a king." His majesty therefore rejected them in the gross, with this sovereign reply, "*Nolumus leges Angliæ mutari.*"

The propositions relating to religion are these :

Prop. 4. "That he or they to whom the government and education of the king's children shall be committed, be approved of by both houses of parliament, and in the intervals of parliament by the majority of the privy-council; and that such servants against whom the houses have any just exception be removed\*.

Prop. 5. "That the marriages of the king's children be with consent of parliament, under penalty of a premunire on such as shall conclude them otherwise, and not to be pardoned but by parliament.

Prop. 6. "That the laws in force against Jesuits, priests, and Popish recusants, be strictly put in execution, without any toleration or dispensation to the contrary; and that some more effectual course may be enacted by authority of parliament, to disable them from making any disturbance in the state, or eluding the laws by trusts or otherwise.

Prop. 7. "That the votes of Popish lords in the house of peers may be taken away, so long as they continue Papists; and that your majesty will consent to such a bill as shall be drawn, for the education of the children of Papists by Protestants, in the Protestant religion.

Prop. 8. "That your majesty will be pleased to consent, that such a reformation be made of the church government and liturgy as both houses of parliament shall advise, wherein they intend to have consultation with divines, as is expressed in their declaration for that purpose; and that your majesty will contribute your best assistance for the raising of a sufficient maintenance for preaching ministers through the kingdom; and that your majesty will be pleased to give your consent to the laws, for the taking away of innovations and superstitions, and of pluralities, and against scandalous ministers."

To these propositions his majesty replied as follows :

To the fourth and fifth, concerning the education and disposal of his children, "that he had committed them to the care of persons of quality, integrity, and piety, with special regard to their education in the principles of the true Protestant religion, but that he would never part with that trust, which God, nature, and the laws of the land, had placed in him; nor would he suffer any to share with him in his power of treaties; but he assured them, that he would not entertain any treaty of marriage for his children without due regard to the Protestant religion, and the

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\* Rushworth, part 3. vol. 1. p. 793.

honour of his family ; and that he would take such care of the prince of Wales, and his other children, as should justify him to God as a father, and to his dominions as a king."

To the sixth proposition, concerning Popish recusants, his majesty admitted, "that if they could find any more effectual course to disable them from disturbing the state, or eluding the laws, by trust or otherwise, he ought to give his consent to it."

To the seventh, concerning the votes of Popish lords, his majesty replied, "that he was informed, those lords had prudently withdrawn from the house of peers, but he did not conceive that a law against the votes of any, where blood gave them their right, was so proper, in regard of the privilege of parliament ; however, his majesty was content, that as long as they did not conform to the doctrine and discipline of the church of England, they should not sit in the house of peers, but only vote by proxy. As for a bill for the educating the children of Papists in the Protestant religion, he should be very glad of it, and would encourage it."

To the eighth proposition, touching reformation of church government and liturgy, his majesty refers them to his declaration of December 1, in which he had declared, "that he was willing to remove illegal innovations ; that if his parliament advised him to call a synod to examine into such ceremonies as gave offence, he would take it into consideration, and apply himself to give due satisfaction therein ; but he was persuaded in his conscience, that no church could be found upon earth, that professed the true religion with more purity of doctrine than the church of England ; nor where the government and discipline are more beautified, and free from superstition, than as they are here established by law ; which his majesty is determined with constancy to maintain, as long as he lives, in their purity and glory, not only against all innovations of Popery, but from the irreverence of those many schismatics and separatists wherewith of late this kingdom and the city of London abound, for the suppression of whom his majesty requires the assistance of his parliament. As for such matters in religion which were in their own nature indifferent, his majesty refers them to his first declaration, printed by advice of his privy-council, in which he had declared, that he was willing, in tenderness to any number of his loving subjects, to admit that some law might be made for the exemption of tender consciences from punishment or prosecution for such ceremonies ; provided it be attempted and pursued with that modesty, temper, and submission, that the peace and quiet of the kingdom be not disturbed, the decency and comeliness of God's service discountenanced, nor the pious, sober, devout actions of the first reformers scandalized and defamed. His majesty adds, that he had formerly referred the composing the present distractions about church government and liturgy to the wisdom of the parliament, but desired he might not be pressed to any single act



on his part, till the whole be so digested and settled by both houses, that his majesty may clearly see what is fit to be left as well as what is fit to be taken away. His majesty observes with satisfaction, that they desire only a reformation, and not, as is daily preached in conventicles, a destruction of the present discipline and liturgy, and promises to concur with his parliament in raising a sufficient maintenance for preaching ministers, in such manner as shall be most for the advancement of piety and learning; but as for the other bills, against superstitious innovations and pluralities, his majesty can say nothing to them, till he sees them."

It was now apparent to all men, that this controversy, which had hitherto been debated by the pen, must be decided by the sword; for this purpose the queen was all this while in Holland negotiating foreign supplies: her majesty pledged the crown-jewels, and with the money arising from thence purchased a small frigate of thirty-two guns, called the Providence, and freighted it with two hundred barrels of powder, two or three thousand arms, seven or eight field-pieces, and some ready money for the king's service, all which were safely conveyed to his majesty at York, about the beginning of June. The parliament had been advertised of the queen's proceedings, and acquainted the king with their advices; which at first he was pleased to disown, for in his declaration of March 9, he tells the parliament, "Whatsoever you are advertised from Paris, &c. of foreign aids, we are confident no sober honest man in our kingdom can believe, that we are so desperate, or so senseless, as to entertain such designs as would not only bury this our kingdom in certain destruction and ruin, but our name and posterity in perpetual scorn and infamy \*." One would think by this that the king did not know what was doing with the crown-jewels, though they were carried over with his leave, and, as Mr. Whitelocke† says, that with them and the assistance of the prince of Orange, a sufficient party might be raised for the king. But in this answer, as in most others, his majesty had his ambiguities and reservations. ‡

It was the king's great misfortune never to get possession of a

\* Clarendon, vol. 1. part 2. p. 445. 462.

† Memorials, p. 52.

‡ Bishop Warburton contends that by "foreign aids" the king understood, what the parliament certainly meant, foreign troops. His lordship therefore asserts, "there is no ambiguity here; but there is neither end nor measure (he adds) to this historian's prejudices and false representations." The exact state of the matter is, that the parliament in their declaration do use the words "foreign force," and explicitly mention the loan of four thousand men apiece by the kings of France and Spain. The king in his answer says, only in general, "that whatever their advertisements from Rome, &c. were, he was confident no sober honest man," &c. without using, as Mr. Neal inaccurately represents him doing, the terms "foreign aids." But will it follow from hence, that the king's answer was free from ambiguity and reservation, or Mr. Neal's charge false? If what Mr. Whitelocke says were true, there was a duplicity and ambiguity in the king's reply: and it consisted in this, not in the use of an equivocal term, but in censuring the measures, of which he was suspected, as senseless, desperate, and pernicious; at the same time he was actually taking such or similar steps.—ED.

convenient place of strength upon the coast. The governor of Portsmouth declaring for him, the parliament immediately ordered the militia of the county to block up the place by land, while the earl of Warwick did the same by sea, so that it was forced to surrender for want of provisions, before the king could relieve it. The like disappointment befel his majesty at Hull, which he besieged a second time, July 4\*, with three thousand foot and about one thousand horse, while sir J. Pennington the king's admiral blocked it up by sea; but the governor drawing up the sluices laid the country under water, and obliged the army to retire. This was a severe disappointment, because his majesty had sent word to the parliament, June 14, that "by the help of God and the law, he would have justice upon those that kept him out of Hull, or lose his life in requiring it †."

On the other hand the commons, upon the desertion of the king's friends, ordered a general call of the house, June 16, and that every member should answer to his name on forfeiture of 100*l*. The lords ordered the nine peers that went after the great seal, to appear at their bar, June 8, and for their nonappearance [June 27] deprived them of their privilege of voting in the house during the present parliament. As the commons had taken all imaginable precautions to hinder the king from getting the forts and magazines of the kingdom into his possession, they ordered all suspected places to be searched for arms and ammunition; in the archbishop's palace at Lambeth they seized arms for about five hundred men, and lodged them in the Tower of London; in Cobham-hall they seized five cart-loads of arms; and below Gravesend about one hundred pieces of cannon. As soon as they heard the king had received supplies from beyond sea, and was preparing to besiege Hull, they ordered their ordinance for raising the militia to be put in execution in Essex [June 7] when all the regiments appeared full, besides a great number of volunteers, who declared they would stand by the parliament in this cause with their lives and fortunes. The king forbade the militia's appearing in arms without his consent, according to the statute 7 Eliz. cap. 1, and issued out commissions of array, according to an old statute of 5 Henry IV. appointing several persons of quality to array, muster, and train the people in the several counties; but the parliament by a declaration endeavoured to prove these commissions to be illegal, contrary to the petition of right, and to a statute of this present parliament; and went on with mustering the militia in several other counties, where the spirit of the people appeared to be with them. The execution of these counter-commissions occasioned some skirmishes wherever the two parties happened to meet.

On the 10th of June, 1642, the parliament published proposals

\* According to Dr. Grey, there is an error in this date; for the king issued a proclamation of his intention to besiege Hull, upon the 11th of July; so could not lay siege to it upon the 4th.—Ed.

† Rushworth, p. 601.



for borrowing money upon the public faith at eight per cent. interest, allowing the full value of the plate, besides one shilling per ounce consideration for the fashion. Upon information of this, the king immediately wrote to the lord mayor of London, to forbid the citizens lending their money or plate, upon pain of high-treason; notwithstanding which such vast quantities were brought into Guildhall within ten days, that there were hardly officers enough to receive it. Mr. Echard computes the plate at 11,000,000*l.* which is monstrous, for in reality it was but 1,267,326*l.*: the gentry of London and Middlesex brought in the best of their plate, and the meaner sort their gold rings, thimbles, and bodkins. Lord Clarendon says, this zeal of the people arose from the influence and industry of their preachers; which might be true in part, though it was rather owing to a quick and feeling apprehension of the danger of their liberties and religion, by an inundation of Popery and arbitrary power.

The king also tried his credit with the people, by publishing a declaration inviting his subjects to bring in their money, plate, horses, and arms to York, upon the security of his forests and parks for the principal, and eight per cent. interest, with very little success, except among the courtiers and the two universities.

July 7, his majesty sent letters to the vice-chancellor and heads of colleges in Oxford, desiring them to lend him their public stock, engaging upon the word of a king to allow them eight per cent. for that and all other sums of money that any private gentleman or scholar should advance. Hereupon it was unanimously agreed in convocation, to entrust his majesty with their public stock, amounting to 860*l.* which was immediately delivered to Mr. Chaworth, his majesty's messenger. The several colleges also sent his majesty their plate; and private gentlemen contributed considerable sums of money, to the value of above 10,000*l.*\* The two houses of Westminster being informed of these proceedings, published an ordinance, declaring this act of the university "a breach of trust, and an alienation of the public money, contrary to the intent of the pious donors, and therefore not to be justified by the laws of God or man;" that it was also contrary to their engagements, for the university being yet in the hands of the parliament, the lord Say, and his deputy-lieutenants had been with the several masters and heads of houses, and obtained a solemn promise from each of them, that their plate should be forthcoming, and should not be made use of by the king against the parliament; and yet contrary to their engagement they sent it away privately to York, where it arrived July 18, as appeared by his majesty's most gracious letter of thanks†. As soon as the two houses were informed of this, they sent for the four principal managers of this affair into custody, viz. Dr. Prideaux bishop of Worcester, Dr. Samuel Fell dean of Christ-church, Dr. Frewen, and Dr. Potter, who absconded, and

\* Clarendon, vol. 2. p. 88.

† Rushworth, part 3. vol. 1. p. 759.

the scholars, encouraged by their principals, bought arms, formed themselves into companies, and laying aside their academical studies, were instructed in the art of war, and performed the military exercises under their respective captains and leaders. Such was the zeal of the vice-chancellor Dr. Pink, that not content with marshalling the university, he promoted the king's commission of array among the townsmen, and received one of his majesty's troops of horse into garrison, for which he was afterwards apprehended and committed to the Gate-house at Westminster. The parliament, provoked with this behaviour of the university, threatened to quarter some of their own regiments upon them, which frightened away half the scholars, and put the rest into such a terrible panic, that the vice-chancellor thought proper to write the following submissive letter to the earl of Pembroke their chancellor :

“ Right honourable :

“ May it please your lordship to know, that this university is now in extreme danger of suffering all the calamities that warlike forces may bring upon it\*. Such forces, we hear for certain, are some of them already on their march, and others are raising to assault us ; and if they may have their wills, to destroy us ! My lord, you have been solicitous whom to appoint your chancellor for next year, but if these forces come forward, and do that execution upon us that we fear they intend, there will be no use at all for a vice-chancellor, for what will be here for him to do, where there will be no scholars for him to govern ? Or what should scholars do here, having no libraries left them to study in, no schools to dispute in, chapels to serve God in, colleges or halls to live or lodge in, but have all these ransacked, defaced, demolished, so as posterity may have to say, See ! here was for a long time, and till such a year, a university of great renown and eminence in all manner of learning and virtue, but now laid utterly waste, and buried in her own ruins. And then the question will be, What ! had we no lord chancellor ? or was he not able to protect us ?—We are all confident that if your lordship would interpose for us to the honourable houses of parliament for our safety and security, all would be well with us. The delinquents that were sent for are not one of them here at this time. Sir John Byron, with his regiment of troopers, we shall soon prevail with to withdraw from us, if he may with safety march back to the king, who of his own gracious care of us sent him hither. And if your lordship shall be secured, that no other forces shall be here imposed upon us, that will take the liberty to exercise that barbarous insolence with which the illiterate and ruffianly rabble of the vulgar threaten us ; against such only our young men have lately taken in hand the arms we have (a very few God knows, and in weak hands enough) to save themselves and us from having our libraries fired, our colleges

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\* Rushworth, part 3. vol. 2. p. 11.



public money : what the whole sum amounted to does not appear ; but may be guessed by the particulars of one college, a receipt for which is preserved among the archives, and is as follows :

" July 2, 1642.

" Received, the day and year above written, of Wm. Beale, doctor in divinity, master of St. John's college in the university of Cambridge, for the king's use (according to the intendment and direction of his majesty's letters of the 29th of June last, to the vice-chancellor of the said university) the sum of 150*l*. I say, received from the treasury of the said college by me\*,

" John Poley."

This Mr. Poley was fellow of Pembroke-hall, and one of the proctors of the university. When the king had secured their money, he sent to borrow their plate, under pretence of preserving it from the parliament ; for this purpose he wrote another letter to the vice-chancellor, with directions to take an exact account, not only of the weight but also of the form of every piece, together with the names, arms, and mottoes, of the respective donors, that if his majesty should not preserve it as entire as it was, he might restore it hereafter in the same weight and form, and with the same marks, all which he ensured upon his royal word. There is no account remaining of what plate the colleges delivered up for his majesty's use, though many wished, says Mr. Fuller, that every ounce had been a pound for his sake ; but in the treasury of St. John's college there are the particulars of what plate that college delivered in, together with the weight, forms, and names, of the chief benefactors, which amounts in the whole, according to avoirdupois weight, to two thousand sixty-five ounces and a half, as expressed in the following receipt :

" August 8, 1642.

" I do acknowledge that there has been delivered to me, in the name and on the behalf of the master, fellows, and scholars, of St. John's college in Cambridge, two fir boxes, marked with these three letters, S. J. C., containing in them all the several pieces of plate above written, which said plate weigheth, as appears by the particulars, two thousand sixty-five ounces and a half, more or less, which they deposited into the king's hands for the security thereof and his majesty's service, according to the tenor of his majesty's letters, written and directed to the vice-chancellor of the university†.

John Poley."

According to this calculation the king might receive from all the colleges together about 8 or 10,000*l*. in plate, besides money. Colonel Oliver Cromwell with his company of soldiers endeavoured to intercept the convoy, but under the conduct of Mr. Barnaby Oley their guide, who was acquainted with all the bye-roads, they escaped the enemy, and delivered up their charge to the king about the time when he was setting up his royal standard at Not-

\* *Dr. Barwick's Life*, p. 22.

† *Ibid.* p. 24.

tingham. Cromwell having missed the convoy returned to Cambridge, and took possession of the town and university for the parliament, who, being acquainted with what was done, sent them an angry message, as they had done to Oxford, full of resentments for their disposing of the public money, contrary to the trust reposed in them. The masters and fellows excused themselves, by alleging the royal mandate; whereupon the two houses sent a mandate of their own to the vice-chancellor and heads of colleges in convocation assembled, desiring them to contribute their assistance to the cause in which they [the parliament] were engaged; but though, as Dr. Barwick observes, the commander of the garrison kept them sitting till midnight they would lend nothing, because they apprehended it to be contrary to religion and a good conscience; the houses therefore ordered Dr. Beal, Dr. Martin, and Dr. Sterne, masters of St. John's, Jesus', and Queen's college, into custody\*; upon which many of the scholars deserted their stations, and listed in the king's service.

Besides the two universities the king applied under-hand to the Papists, who were firm to his interest, though he durst not as yet avow his correspondence with them; for in his declaration of June 3, he assures the ministers and freeholders of Yorkshire, that he would not make use of foreigners, or of persons disaffected to the Protestant religion—Again, we have taken order that the power of the sword shall not come into the hands of Papists†—August 10, his majesty commands that no Papist should be listed as a soldier in his army; which was expedient, to avoid as much as possible the reproach of an alliance with those people, who were at this time become infamous by the Irish massacre. Though his majesty had but few Roman Catholics among his own forces, the duke of Newcastle's army was filled with them, and Popery was countenanced to that degree at York, that mass was said in every corner of the street, and the Protestants so affronted, that they were almost afraid to go to church‡. The king applied to his

\* They were immediately after carried to London by Cromwell, and confined in the Tower and other prisons for some years, particularly in the noisome hold of a ship. Dr. Grey; Barwick's Life, p. 32, note (c); and Fuller's History of Cambridge, p. 168.—Ed.

† Rushworth, part 3. vol. 1. p. 625.

‡ Dr. Grey would impeach the truth of this detail, and says, that as Mr. Neal "quotes no authority for these particulars, I am willing to believe, that they are not all of them true." As to the first particular, I can refer for Mr. Neal to Rapin, vol. 2. p. 468, and the matter has been, within these few years, stated and discussed by Mrs. Macaulay, vol. 3. p. 377, 378, 8vo. The fact was admitted by the earl of Newcastle himself, and he published a long declaration, partly to vindicate himself on this head; which is preserved in Rushworth, part 3. vol. 2. p. 78, &c. Though I am not able to ascertain the authorities on which my author states the other particulars, a letter of intelligence of the affairs in Yorkshire, which the parliament received, and which has been given to the public since Mr. Neal's history appeared, affords a general confirmation to his account. It represents that the Papists, after the king's proclamation for raising his standard, flocked from Ireland, Lancashire, and all parts of Yorkshire, to York; that there were great rejoicings amongst them, and a great forwardness to assist the service shewn. The circumstances represented by our author, were not unnatural or improbable consequences of such a



Roman-Catholic subjects to advance two or three years of the rent that they paid as a composition for their estates as recusants; which they not only complied with, but wrote to their friends abroad to borrow more; proclamation was made at Bruges, and other parts of Flanders, that all people who would lend any money to maintain the Roman Catholics in England, should have it repaid in a year's time with many thanks.

The Lancashire Papists, having been lately disarmed by order of parliament, petitioned his majesty, that since the war was begun, their arms might be re-delivered, that they might be in a capacity to defend his majesty's royal person, and their own families. To which his majesty consented in the following words:

"—The laws for disarming recusants being to prevent dangers in a time of peace, but not intended to bar you from the use of arms in time of war for your own safety, or the defence of our person—Our will and command therefore is, and we charge and require you upon your allegiance, that with all possible speed you provide sufficient arms for yourselves, your servants, and your tenants, which we authorize and require you to keep and use for the defence of us, yourselves, and your country, against all forces raised against us, under colour of any order or ordinance of parliament; and we shall use our utmost power to protect you and yours against all injuries and violence\*.

"Given under our signet at Chester, September 27, in the eighteenth year of our reign."

Agreeably to this, Mr. George Tempest, a priest, writes to his brother in the king's army, "Our priests at Lancaster are at liberty; Catholic commanders are admitted, and all well enough that way; God Almighty, as I hope, will better prosper the cause." And another adds, "that there is no prosecution of priest or Papist in Northumberland."

When the parliament objected this to his majesty, and named the very officers, he was highly displeased, and in his answer makes use of these solemn expressions: "for that continued dishonest accusation, of our inclination to the Papists, which the authors of it in their own consciences know to be most unjust and groundless, we can say no more, and we can do no more, to the satisfaction of the world.—That any priests or Jesuits imprisoned have been released by us out of the jail at Lancaster, or any other jail, is as false as the father of lies can invent. Neither are the persons named in that declaration, to whom commissions are supposed to be granted for places of command in this war, so much as known to us; nor have they any command, or to our knowledge are present in our army. And it is strange, that our

confluence and exultation of the Papists. And it appears from this letter, that the cavaliers in general, were guilty of tumults, outrages, and depredation. *Parliamentary History*, vol. 11. p. 335. 381. 405, quoted by Mrs. Macaulay, vol. 3. p. 343, 344, 8vo.—Ed.

\* Rushworth, vol. 2. part 3. p. 50.

oaths and protestations before Almighty God, for the maintenance of the Protestant religion, should be so slighted.—We desire to have our protestations believed by the evidence of our actions\*.” Surely this solemn appeal to Almighty God was ambiguous and evasive ! or else we must conclude, that his majesty was very little acquainted with what was done in his name, and by his commission.

It was only five days after this, that the mask was thrown off, for his majesty confesses, in his declaration of October 27, that the malice and fury of his enemies had reduced him to the necessity of accepting the service and affection of any of his good subjects, whatsoever their religion was ; that he did know of some few Papists, whose eminent abilities in command and conduct had moved him to employ them in his service : but he assures his good subjects, that he would always use his endeavours to suppress their religion, by executing the laws already in force against Papists, and in concurring in any other remedies which his two houses should think proper.

As the king was reduced to the necessity of accepting the service and affection of the Papists ; so on the other hand, the parliament took all imaginable care to cultivate a good correspondence with the Scots, and to secure that nation in their interests. We have remembered that the Scots commissioners at London offered their mediation in the beginning of the year, which the parliament accepted ; but the king, from his extreme hatred of the presbyterian discipline, refused, commanding them to be content with their own settlement, and not meddle in the affairs of another nation. But the breach between the king and his two houses growing wider, the council of Scotland sent their chancellor in the month of May to renew their offers of a mediation between the two parties, which the king rejected as before † ; and the rather, because they still insisted upon the abolishing of episcopacy, which his majesty believed to be of divine institution, and upon a uniformity of presbyterian government in the two nations : whereas the majority of both houses, being of Erastian principles, were under no difficulties about a change of discipline, apprehending that the civil magistrate might set up what form of government was most conducive to the good of the state. The parliament therefore treated the chancellor with great respect, and not only accepted the mediation, but wrote to the general assembly which was to meet in July, acquainting them with the crisis of their affairs, and desiring their advice and assistance in bringing about such a reformation as was desired. To which the assembly returned an answer, dated August 3, 1642, to the following purpose :

“ After giving God thanks for the parliament’s desire of a reformation of religion, and expressing their grief that it moves so

\* Rushworth, vol. 2. part 3. p. 31.

† Duke of Hamilton’s *Memoirs*, b. 3. p. 194.



slowly—They observe, that their commissioners, far from arrogance and presumption, had, with great respect and reverence, expressed their desires for unity of religion, that there might be one confession of faith, one directory of worship, one public catechism, and one form of church-government\*. The assembly (say they) now enter upon the labours of the commissioners, being encouraged by the zeal of former times, when their predecessors sent a letter into England against the surplice, tippet, and corner-cap, in the year 1566, and again in the years 1583 and 1589. They are now farther encouraged by the king's late answer to their commissioners in their treaty for Ireland, wherein his majesty approves of the affection of his subjects of Scotland, in their desires of conformity of church-government; by his majesty's late practice while he was in Scotland, in resorting to their worship, and establishing it by act of parliament. They are also encouraged by a letter sent from many reverend brethren of the church of England, expressing their prayers and endeavours against every thing that shall be prejudicial to the establishment of the kingdom of Christ. They therefore advise to begin with a uniformity of church-government; for what hope can there be (say they) of one confession of faith, one form of worship and catechism, till prelacy be plucked up root and branch, as a plant which God had not planted? Indeed, the reformed kirks hold their form of government by presbyters to be *jure divino*, and perpetual, but prelacy is almost universally held by the prelates themselves to be a human ordinance, and may therefore be altered or abolished in cases of necessity, without wronging any man's conscience; for the accomplishing of which they promise their best assistance."

In the parliament's answer to this letter, "they acknowledge the friendship of their brethren of Scotland, and express their desires of unity in religion, that in all his majesty's dominions there might be but one confession of faith and form of church-government †; and though this is hardly to be expected punctually and exactly, yet they hope, since they are guided by the same spirit, they shall be so directed, as to cast out every thing that is offensive to God, and so far agree with the Scots, and other reformed churches, in the substantials of doctrine, worship, and discipline, that there may be a free communion in all holy exercises and duties of public worship, for the attaining whereof they intend an assembly of godly and learned divines, as soon as they can obtain the royal assent.—We have entered into a serious consideration (say they) what good we have received by the government of bishops, and do perceive it has been the occasion of many intolerable burdens and grievances, by their usurping a pre-eminence and power not given them by the word of God, &c. We find it has also been pernicious to our civil government, inso-

\* Rushworth, vol. 2, part 3, p. 387.

† Ibid. p. 390.

much as the bishops have ever been forward to fill the minds of our princes with notions of an arbitrary power over the lives and liberties of the subject, by their counsels and in their sermons. Upon which accounts, and many others, we do declare, that this government, by archbishops, bishops, their chancellors and commissaries, deans and chapters, archdeacons, and other ecclesiastical officers depending upon the hierarchy, is evil, and justly offensive and burdensome to the kingdom, a great impediment to reformation, and very prejudicial to the civil government; and that we are resolved the same shall be taken away. And we desire our brethren of Scotland to concur with us in petitioning his majesty, that we may have an assembly of divines; and to send some of their own ministers to the said assembly, in order to obtain uniformity in church-government, that so a more easy passage may be made for settling one confession of faith, and directory of public worship, for the three kingdoms."

The king, being alarmed with the harmony between the two kingdoms, sent a warm remonstrance to the council of Scotland August 26, the very week he set up his standard at Nottingham, in which he declares,

"That he desired uniformity as much as they, in such a way as he in his conscience thought most serviceable to the true Protestant religion; but that his two houses of parliament had never made any proposition to him since their meeting, concerning uniformity of church-government; so far (says his majesty) are they from desiring such a thing, that we are confident the most considerable persons, and those who make the fairest pretensions to you of that kind, will not sooner embrace a presbyterial than you an episcopal\*. And truly it seems, notwithstanding whatsoever profession they have made to the contrary, that nothing has been less in their minds, than settling the true religion, and reforming such abuses in the church as possibly may have crept in, contrary to the established laws of the land, to which we have been so far from being averse, that we have pressed them to it. And whenever any proposition shall be made to us by them, which we shall conceive may advance the unity of the Protestant religion, according to the word of God, or establish church-government according to the known laws of the kingdom, we shall let the world see, that nothing can be more agreeable to us than the advancing so good a work."

Here his majesty explains the uniformity he all along intended, and very justly observes, that the parliament no more believed the divine institution of presbytery, than others did of diocesan prelacy; for though they were content, in order to secure the assistance of the Scots nation, to vote away the power of archbishops and bishops, yet when they had conquered the king, and had nothing to fear from their neighbours, they could not be prevailed

\* Duke of Hamilton's Memoirs, b. 4. p. 197.



with to establish the Scots presbytery without reserving the power of the keys to themselves.

Lord Clarendon very justly observes, "that the parliament were sensible they could not carry on the war but by the help of the Scots, which they were not to expect without an alteration of the government of the church, to which that nation was violently inclined, but that very much the major part of the members that continued in the parliament-house were cordially affected to the established government, at least not affected to any other\*." But then to induce them to consent to such an alteration, it was said the Scots would not take up arms without it; so that they must lose all, and let the king return as a conqueror, or submit to the change. If it should be said, this would make a peace with the king impracticable, whose affection to the hierarchy all men knew, it was answered, that it was usual in treaties to ask more than was expected to be granted: and it might be, that their departing from their proposition concerning the church, might prevail with the king to give them the militia. Upon these motives the bill to abolish episcopacy was brought into the house and passed the commons September 1, and on the 10th of the same month it passed the lords. The noble historian says, that marvellous art and industry were used to obtain it; that the majority of the commons was really against it, and that it was very hardly submitted to by the house of peers. But the writer of the Parliamentary Chronicle, who was then at London, says, the bill passed *nullo contradicente*, not a negative vote being heard among them all; and that there were bonfires and ringing of bells for joy all over the city †.

The bill was entitled, "An act for the utter abolishing and taking away of all archbishops, bishops, their chancellors and commissaries," &c.

It ordains, that "after the fifth of November 1643, there shall be no archbishop, bishop, chancellor, or commissary, of any archbishop or bishop, nor any dean, sub-dean, dean and chapter, archdeacon, nor any chancellor, chanter, treasurer, sub-treasurer, succentor, or sacrist, of any cathedral or collegiate church, nor any prebendary, canon, canon-residentiary, petty canon, vicar choral, chorister, old vicars or new vicars, of or within any cathedral or collegiate churches in England or Wales.—That their names, titles, jurisdictions, offices, and functions, and the having or using any jurisdiction or power, by reason or colour of any such names and titles, shall cease, determine, and become absolutely void.

"That all the manors, lordships, castles, messuages, lands, tenements, rents, and all other possessions and hereditaments whatsoever, belonging to any archbishopric or bishopric, shall be in the real and actual possession and seisin of the king's majesty, his heirs and successors, to hold and enjoy in as ample a manner as they were held

\* Clarendon, vol. 2, p. 117.

† Parliamentary Chronicle, p. 150.

by any archbishop or bishop within two years last past, except impropriations, parsonages, appropriate tithes, oblations, obventions, pensions, portions of tithes, parsonages, vicarages, churches, chapels, advowsons, nominations, collations, rights of patronage and presentation.

"That all impropriations, parsonages, tithes, &c. and all other hereditaments and possessions whatsoever, belonging to any dean, sub-dean and chapter, archdeacon, or any of their officers, be put into the hands of trustees, to pay to all and every archbishop, bishop, dean, sub-dean, archdeacon, and all other officers belonging to collegiate and cathedral churches, such yearly stipends and pensions as shall be appointed by parliament. And they shall dispose of all the aforesaid manors, lands, tithes, appropriations, advowsons, &c. for a competent maintenance for the support of such a number of preaching ministers in every cathedral and collegiate church as shall be appointed by parliament: and for the maintenance of preaching ministers in other places of the country where such maintenance is wanting; and for such other good uses, to the advancement of religion, piety, and learning, as shall be directed by parliament.

"Provided, that all revenues and rents as have been, and now ought to be paid, for the maintenance of grammar-schools or scholars, or for the repairing any church, chapel, highway, causeway, bridges, school-house, alms-house, or other charitable uses, payable by any of the persons whose offices are taken away by this act, shall be continued. Provided also, that this act shall not extend to any college, church, corporation, foundation, or house of learning in either of the universities."

It may seem strange that the parliament should abolish the present establishment before they had agreed on another, but the Scots would not declare for them till they had done it. Had the two houses been inclined to presbytery (as some have maintained,) it would have been easy to have adopted the Scots model at once; but as the bill for extirpating episcopacy was not to take place till above a year forward, it is apparent they were willing it should not take place at all, if in that time they could come to an accommodation with the king; and if the breach should then remain, they proposed to consult with an assembly of divines what form to erect in its stead. Thus the old English hierarchy lay prostrate for about eighteen years, although never legally abolished for want of the royal assent, and therefore at the restoration of king Charles II. it took place again, without any new law to restore it; which the Presbyterians, who were then in the saddle, not understanding, did not provide against as they might.

While the king and parliament were thus strengthening themselves, and calling in severally all the succours they could get, the scene of the war began to open; his majesty travelled with a large retinue into several of the northern and western counties, summoning the people together, and in set speeches endeavouring to possess



them of the justice of his cause, promising, upon the word of a king, that for the future he would govern by law. Upon this assurance about forty lords, and several members who had deserted \* the house of commons, signed an engagement to defend his majesty's person and prerogative, to support the Protestant religion established by law, and not to submit to any ordinance of parliament concerning the militia that had not the royal assent. Great numbers listed in his majesty's service, whereby an army was formed, which marched a second time to the siege of Hull.

A week after the king was set down before this fortress, and not before [July 12] the two houses, after long debates, came to this resolution, that an army should be raised for the defence of the king and parliament, that the earl of Essex should be captain-general, and the earl of Bedford general of the horse, who were empowered to resist and oppose with force all such whom they should find in arms, putting in execution the king's commission of array. The reasons of this resolution arising from the king's extraordinary preparations for war, were published at the same time; and in their declaration of August 4, they say, "that they would have yielded up every thing to the king, could they have been assured, that by disarming themselves they should not have been left naked, while the military sword was in the hands of those evil counsellors who they had reason to fear had vowed the destruction of the two houses, and, through their sides, of the Protestant religion; but being well acquainted with their designs, they apprehend that their duty to God and their country obliges them to hazard every thing for the maintenance of the true religion, the king's person, honour, and estate, and the liberties of England."

\* Bishop Warburton censures Mr. Neal for using the word "deserted," "which (he says) is a party-word, and implies betraying their trust." His lordship owns that the conduct of the members, who left the house and retired to the king, was so called by the parliament; but an historian's adopting, in this case, the term which impeaches their fidelity, he considers "taking for granted the thing in dispute." But, with his lordship's leave, his stricture confounds the province of the historian with that of the mere chronologist. The former does not merely detail events, but investigates their causes, and represents their connexion and influence. It is not easy to say, how he can do this, without forming and expressing a decided opinion on them. That opinion does not bind the reader, nor is the impartiality of the historian violated, if facts are fairly and fully stated. In the case before us, it may be farther urged, that the word "deserted" not only conveyed Mr. Neal's idea of the conduct of the members who left the parliament, but truly represented it. They forsook the seats to which they were elected; they left the post which was assigned to them; and they withdrew from the stage of debate and action, to which the king's writ had called, and to which the voice of their constituents had sent them. They were representatives, chosen to act in conjunction with the other representatives: instead of proceeding on this principle, they formed a separate junto and faction. The first duty of a representative is to fulfil the trust reposed in him. The word "deserted," says his lordship, is a party-word: grant it. Yet the use of it was not inconsistent with the impartiality of the historian; for though it should not give the most favourable idea of the conduct of these members, it conveys the judgment which the parliament had of it: and of the rectitude of this judgment the reader is still left to form his own sentiments. The matter at the time was considered in the most serious light, and greatly alarmed and distressed all who loved the peace of the nation. See May's Parliamentary History, p. 58, &c.—ED.

On the 9th of August the king proclaimed the earl of Essex and all his adherents traitors, unless they laid down their arms within six days; and in another manifesto declared both houses of parliament guilty of high treason, and forbid all his subjects to yield obedience to them. The parliament also, on their part, proclaimed all who adhered to the king in this cause traitors against the parliament and the kingdom\*. August 12, the king by proclamation commanded all his subjects on the north of Trent, and within twenty miles south of it, to appear in arms for the suppressing the rebels that were marching against him; and about the same time issued out another proclamation, requiring all men who could bear arms to repair to him at Nottingham, where he intended to set up his standard on Monday August 22. In the mean time his majesty gave out new commissions to augment his forces, and marching through Lincoln took away the arms of the train-bands for the use of his troops. At length, being arrived at the appointed place, he caused his standard to be erected in the open field, on the outside of the castle-wall at Nottingham, but very few came to attend it: and the weather proving stormy and tempestuous it was blown down the same evening, and could not be fixed again in two days. Three weeks after this [September 9,] the earl of Essex, the parliament's general, left London, to put himself at the head of their army of fifteen thousand men at St. Albans. The king, with an army of equal strength, marched from Nottingham to Shrewsbury, and having refreshed his forces there for some time, broke up October 12, in order to march directly for London, but the earl of Essex putting himself in the way, both armies engaged at Edgehill near Keinton in Warwickshire, on Sunday October 23, the very same day twelvemonth after the breaking out of the Irish massacre; the battle continued from three in the afternoon till night, with almost equal advantage, the number of slain on both sides being about four thousand. Thus the sword was drawn which was drenched in the blood of the inhabitants of this island for several years, to the loss of as many Protestant lives as perished by the insurrection and massacre of Ireland.

## CHAPTER XII.

THE STATE OF THE CHURCH OF ENGLAND. THE RELIGIOUS CHARACTER OF BOTH PARTIES. WITH A SUMMARY OF THE GROUNDS OF THE CIVIL WAR.

WE have already seen the unsettled state of religion upon the king's progress into Scotland, with the complaints of the royalists for want of decency and uniformity. The hierarchy had for some time been a dead weight, the springs that moved it being stopped,

\* Rapin, vol. 2. p. 457, folio edition.



by the imprisonment of the bishops, and the check that was given to the spiritual courts; but now the whole fabric was taken down after a year, though when that was expired no other discipline was erected in its room; nor was the name, style, and dignity, of archbishops and bishops taken away by ordinance of parliament till September 5, 1646, that is, till the war was over, and the king a prisoner. In this interval there was properly no established form of government, the clergy being permitted to read more or less of the liturgy as they pleased\*, and to govern their parishes according to their discretion. The vestments were left indifferent, some wearing them, and others, in imitation of the foreign Protestants, making use of a cloak. February 2, 1642—3, the commons ordered, that the statute of the university of Cambridge, which imposes the use of the surplice upon all students and graduates, should not be pressed, as being against the law and liberty of the subject; and three days after they made the same order for the schools of Westminster, Eton, and Winchester. Bishop Kennet says, that tithes were denied to those who read common prayer; and it is as true, that they were withheld from those that did not read it; for many, taking advantage of the confusion of the times, eased themselves of a burden for which some few pleaded conscience, and others the uncertain title of those that claimed them.

Though the parliament and Puritan clergy were averse to cathedral-worship, that is, to a variety of musical instruments, choristers, singing of prayers, anthems, &c. as unsuitable to the solemnity and simplicity of divine service, yet was it not prohibited; and though the revenues of prebendaries and deans, &c. had been voted useless, and more fit to be applied to the maintenance of preaching ministers, yet the stipends of those who did not take part with the king, were not sequestered till the latter end of the year 1645, when it was ordained, "that the deans and prebendaries of Westminster who had absented themselves, or were delinquents, or had not taken the covenant, should be suspended from their several offices and places, except Mr. Osbaldesdon;" but the names, titles, and offices, of deans and chapters, were not abolished till after the king's death, in the year 1649, the parliament proceeding with some caution, as long as there was any prospect of an accommodation with the king. Indeed, the beauty of the cathedrals was in some measure defaced about this time, by the ordinance for the removing crucifixes, images, pictures, and other monuments of superstition, out of churches. Many fine paintings in the windows and on the walls were broken and destroyed, without a decent repair of the damage. In Lambeth-chapel the organ was

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\* Here, as Dr. Grey observes, is an inaccuracy. The use of the liturgy was not permitted during the whole of this interval, as appears by Mr. Neal's own account, vol. 3; for it was prohibited, and the directory established in its room, previously to the abolition of the episcopal titles and dignity, by ordinances of parliament on the 3rd of January 1644—5, and 23rd of August 1645.—Ed.

taken down [November 25]. The following summer the paintings, pictures, superstitious ornaments, and images, were defaced, or removed out of the cathedrals of Canterbury, Rochester, Chichester, Winchester, Worcester, Lincoln, Litchfield, Salisbury, Gloucester, St. Paul's in London, the collegiate church of Westminster, &c. "But (says my author) I do not find that they then seized the revenues and estates of the cathedrals, but contented themselves with plundering and imprisoning some of the principal members, and dispersing many of the rest; and several of those places coming afterward into his majesty's hands, the service did not wholly cease, nor were the doors of those stately fabrics finally closed at that time."

Though the discipline of the church was at an end, there was nevertheless an uncommon spirit of devotion among people in the parliament-quarters; the Lord's day was observed with remarkable strictness, the churches being crowded with numerous and attentive hearers three or four times in the day; the officers of the peace patrolled the streets, and shut up all public houses; there was no travelling on the road, or walking in the fields, except in cases of absolute necessity. Religious exercises were set up in private families, as reading the Scriptures, family prayer, repeating sermons, and singing of psalms, which was so universal, that you might walk through the city of London on the evening of the Lord's day, without seeing an idle person, or hearing any thing but the voice of prayer or praise from churches and private houses.

As is usual in times of public calamity, so at the breaking out of the civil war, all public diversions and recreations were laid aside. By an ordinance of September 2, 1642, it was declared, that "whereas public sports do not agree with public calamities, nor public stage-plays with the seasons of humiliation; this being an exercise of sad and pious solemnity; the other being spectacles of pleasure too commonly expressing lascivious mirth and levity; it is therefore ordained, that while these sad causes, and set times of humiliation, continue, public stage-plays shall cease and be forborne; instead of which are recommended to the people of this land, the profitable duties of repentance, and making their peace with God\*."

The set times of humiliation mentioned in the ordinance refers to the monthly fast appointed by the king, at the request of the parliament [January 8, 1641], on account of the Irish insurrection and massacre, to be observed every last Wednesday in the month, as long as the calamities of that nation should require it. But when the king set up his standard at Nottingham, the two houses, apprehending that England was now to be the seat of war, published an ordinance for the more strict observation of this fast, in order to implore a divine blessing upon the consultations of parliament, and to deprecate the calamities that threatened this

\* Rushworth, vol. 2. part 3. p. 1.



nation. All preachers were enjoined to give notice of it from the pulpit the preceding Lord's day, and to exhort their hearers to a solemn and religious observation of the whole day, by a devout attendance on the service of God in some church or chapel, by abstinence, and by refraining from worldly business and diversions: all public houses were likewise forbid to sell any sorts of liquors (except in cases of necessity) till the public exercises and religious duties of the day were ended; which continued with little or no intermission from nine in the morning till four in the afternoon; during which time the people were at their devotions, and the ministers engaged in one part or other of divine worship.

But besides the monthly fast, the opening of the war gave rise to another exercise of prayer, and exhortation to repentance, for an hour every morning in the week. Most of the citizens of London having some near relation or friend in the army of the earl of Essex, so many bills were sent up to the pulpit every Lord's day for their preservation, that the minister had neither time to read them, or to recommend their cases to God in prayer; it was therefore agreed by some London divines, to separate an hour for this purpose every morning, one half to be spent in prayer, and the other in a suitable exhortation to the people. The reverend Mr. Case, minister of St. Mary Magdalen, Milk-street, began it in his church at seven in the morning, and when it had continued there a month, it was removed by turns to other churches at a distance, for the accommodation of the several parts of the city, and was called the morning exercise. The service was performed by divers ministers, and earnest intercessions were made in the presence of a numerous and crowded audience, for the welfare of the public as well as particular cases. When the heat of the war was over, it became a casuistical lecture, and was carried on by the most learned and able divines till the restoration of king Charles II. Their sermons were afterward published in several volumes quarto, under the title of the Morning Exercises; each sermon being the resolution of some practical case of conscience. This lecture, though in a different form, is continued among the Protestant dissenters to this day.

Some time after another morning lecture was set up in the abbey-church of Westminster, between the hours of six and eight, for the benefit of that part of the town, and especially of the members of parliament; it was carried on by Dr. Staunton, Mr. Nye, Marshal, Palmer, Herle, Whitaker, and Hill, all members of the assembly of divines. In short, there were lectures and sermons every day in the week in one church or another, which were well attended, and with great appearance of zeal and affection. Men were not backward to rise before day, and go to places of worship at a great distance, for the benefit of hearing the word of God. Such was the devotion of the city of London and parts adjacent, in these dangerous times!

Nor was the reformation of manners less remarkable; the laws

against vice and profaneness were so strict, and so rigorously put in execution, that wickedness was forced to hide itself in corners. There were no gaming-houses, or houses of pleasure; no profane swearing, drunkenness, or any kind of debauchery, to be seen or heard in the streets. It is commonly said, that the religion of these times was no better than hypocrisy and dissimulation; and without all doubt, there were numbers of men who made the form of godliness a cloak to dishonesty; nay, it is probable, that hypocrisy, and other secret immoralities, might be the prevailing sins of the age, all open vices being suppressed; but still I am persuaded, that the body of the people were sincerely religious, and with all their faults, I should rejoice to see, in our days, such an appearance of religion, and all kinds of vice and profaneness so effectually discountenanced.

If we go from the city to the camp of the earl of Essex, we shall find no less probity of manners among them, most of his soldiers being men who did not fight so much for pay, as for religion and the liberties of their country. Mr. Whitelocke observes\*, "that colonel Cromwell's regiment of horse were most of them freeholders' sons, who engaged in the war upon principles of conscience; and that being well armed within, by the satisfaction of their consciences, and without with good iron arms, they would as one man stand firmly and charge desperately." The same author† adds, "that colonel Wilson, who was heir to an estate of 2,000*l.* a year, and was the only son of his father, put himself at the head of a gallant regiment of citizens, who listed themselves in the parliament's service purely upon conscience; this (says he) was the condition of many others also of like quality and fortune in those times, who had such an affection for their religion, and the rights and liberties of their country, that *pro aris et focis* they were willing to undergo any hardships or dangers, and thought no service too much or too great for their country." The most eminent divines served as chaplains to the several regiments; Dr. Burges and Mr. Marshal were chaplains to the earl of Essex's regiment; Dr. Downing to lord Roberts'; Mr. Sedgwick to colonel Hollis's; Dr. Spurstow to Mr. Hampden's; Mr. Aske to lord Brooks's, &c. While these continued, none of the enthusiastic follies that were afterward a reproach to the army, discovered themselves. There were among them some who afterward joined the sectaries; some who were mercenaries, and (if we may believe his majesty's declaration after the battle of Edgehill) some who were disguised Papists; but upon the whole, lord Clarendon confesses, there was an exact discipline in the army; that they neither plundered nor robbed the country; all complaints of this kind being redressed in the best manner, and the offenders punished. The reverend Mr. Baxter, who was himself in the army, gives this account of them‡: "The

\* Memorials, p. 68.

† Ibid. p. 72.

‡ Baxter's Life, p. 26, 31, 33, &c. fol.



generality of those people throughout England who went by the name of Puritans, Precisians, Presbyterians, who followed sermons, prayed in their families, read books of devotion, and were strict observers of the sabbath, being avowed enemies to swearing, drunkenness, and all kinds of profaneness, adhered to the parliament; with these were mixed some young persons of warm heads, and enthusiastical principles, who laid the foundation of those sects and divisions which afterward spread over the whole nation, and were a disgrace to the cause which the parliament had espoused. Of the clergy, those who were of the sentiments of Calvin, who were constant preachers of the word of God themselves, and encouragers of it in others; who were zealous against Popery, and wished for a reformation of the discipline of the church, were on the parliament's side. Among these were some of the elder clergy, who were preferred before the rise of archbishop Laud; all the deprived and silenced ministers, with the whole body of lecturers and warm popular preachers both in town and country; these drew after them great numbers of the more serious and devout people, who were not capable of judging between the king and parliament, but followed their spiritual guides from a veneration they had for their integrity and piety. Many went unto the parliament, and filled up their armies afterward, merely because they heard men swear for the common prayer and bishops, and heard others pray that were against them: because they heard the king's soldiers with horrid oaths abuse the name of God, and saw them live in debauchery, while the parliament-soldiers flocked to sermons, talked of religion, and prayed and sung psalms together on their guards. And all the sober men that I was acquainted with, who were against the parliament (says Mr. Baxter,) used to say, the king had the better cause, but the parliament had the better men\*."

The Puritan [or parliament] clergy were zealous Calvinists, and having been prohibited for some years from preaching against the Arminians, they now pointed all their artillery against them, insisting upon little else in their sermons, but the doctrines of predestination, justification by faith alone, salvation by free grace, and the inability of man to do that which is good. The duties of the second table were too much neglected; from a strong aversion to Arminianism these divines unhappily made way for Antimonianism, verging from one extreme to another, till at length some of the weaker sort were lost in the wild mazes of enthusiastical dreams and visions, and others from false principles pretended to justify the hidden works of dishonesty. The assembly

\* To the authorities quoted by Mr. Neal, bishop Warburton opposes that of Oliver Cromwell; who, in his speech to his parliament, represented the Presbyterian armies of the parliament, as chiefly made up, before the self-denying ordinance, of decayed "serving-men, broken tapsters, and men without any sense of religion: and that it was his business to inspire that spirit of religion into his troops on the reform, to oppose the principle of honour in the king's troops, made up of gentlemen."—ED.

of divines did what they could to put a stop to the growth of these pernicious errors; but the great scarcity of preachers of a learned education, who took part with the parliament, left some pulpits in the country empty, and the people to be led aside in many places, by every bold pretender to inspiration.

"The generality of the stricter and more diligent sort of preachers (says Mr. Baxter) joined the parliament, and took shelter in their garrisons; but they were almost all conformable ministers; the laws and the bishops having cast out the Non-conformists long enough before, and not left above two in a county: those who made up the assembly of divines, and who through the land were the honour of the parliament-party, were almost all such as till then had conformed, and took the ceremonies to be lawful in cases of necessity, but longed to have that necessity removed." He admits, "that the younger and less experienced ministers in the country, were against amending the bishops and liturgy, apprehending this was but gilding over their danger; but that this was not the sense of the parliament, nor of their principal divines. The matter of bishops or no bishops (says he) was not the main thing, except with the Scots, for thousands that wished for good bishops were on the parliament-side. Almost all those afterward called Presbyterians, and all that learned and pious synod at Westminster, except a very few, had been conformists, and kept up an honourable esteem for those bishops that they thought religious; as, archbishop Usher, bishop Davenant, Hall, Moreton, &c. These would have been content with an amendment of the hierarchy, and went into the parliament, because they apprehended the interests of religion and civil liberty were on that side \*."

But the political principles of these divines gave the greatest disgust to the royalists; they encouraged the people to stand by the parliament, and preached up the lawfulness of defending their religion and liberties against the king's evil counsellors. They were for a limited monarchy, agreeable to our present happy constitution, for which, and for what they apprehended the purity of the Protestant religion, they contended, and for nothing more; but for this they have suffered in their moral character, and have been left upon record as rebels, traitors, enemies to God and their king, &c. † His majesty, in one of his declarations, calls them "ignorant in learning, turbulent and seditious in disposition, scandalous in life, unconformable to the laws of the land, libellers, revilers both of church and state, and preachers of sedition and treason itself." Lord Clarendon says, "that under the notion of reformation, and extirpating Popery, they infused seditious inclinations into the hearts of men against the present government of the church and state; that when the army was raised they contained themselves within no bounds, and inveighed as free ly

\* Baxter's Life, p. 33. 35. 37.

† Husband's Collections, p. 314; &c.



against the person of the king, as they had before against the worst malignants, profanely and blasphemously applying what had been spoken by the prophets against the most wicked and impious kings, to stir up the people against their most gracious sovereign." His lordship adds, "that the Puritan clergy were the chief incendiaries, and had the chief influence in promoting the civil war. The kirk reformation in Scotland and in this kingdom (says his lordship) was driven on by no men so much as those of their clergy; and without doubt the archbishop of Canterbury never had such an influence over the councils at court, as Dr. Burges and Mr. Marshal had then on the houses; nor did all the bishops of Scotland together so much meddle in temporal affairs as Mr. Henderson had done \*."

Strange! when the Scots bishops were advanced to the highest posts of honour and civil trust in that kingdom; and when archbishop Laud had the direction of all public affairs in England, for twelve years together. Was not the archbishop at the head of the council-table, the star-chamber, and the court of high-commission? Was not his grace the contriver or promoter of all the monopolies and oppressions that brought on the civil war? What could the Puritan clergy do like this? Had they any places of profit or trust under the government, or any commissions in the ecclesiastical courts? Did they amass to themselves great riches or large estates? No; they renounced all civil power and jurisdiction, as well as lordly titles and dignities; and were, for the most part, content with a very moderate share of the world. If they served the parliament-cause, it was in visiting their parishioners, and by their sermons from the pulpits: here they spent their zeal, praying and preaching as men who were in earnest for what they apprehended the cause of God and their country. But it is easy to remark, that the noble historian observes no measure with the Puritan clergy when they fall in his way.

Nor were the parliament-divines the chief incendiaries between the king and people, if we may believe Mr. Baxter, who knew the Puritans of those times much better than his lordship. "It is not true (says this divine †) that they stirred up the people to war, there was hardly one such man in a county, though they disliked the late innovations, and were glad the parliament were attempting a reformation." They might inveigh too freely in their sermons against the vices of the clergy, and the severities of the late times; but in all the fast-sermons that I have read‡, for

\* Vol. 1. p. 302.

† Baxter's Life, p. 34.

‡ Dr. Grey, who mistakes this for the assertion of Mr. Baxter instead of Mr. Neal, opposes to it his own remark on the fast-sermons between the year 1640 and the death of the king: from which, he says, he could produce hundreds of instances for the disproof of what is said above. As a specimen, he quotes many passages from sermons of the most popular and leading men of those times. Some of these passages, it appears to me, point strongly at the king, and go to prove that royal per-

some years after the beginning of the war, I have met with no reflections upon the person of the king, but a religious observation of that political maxim, The king can do no wrong.

His lordship adds, that "they profanely and blasphemously applied what had been spoken by the prophets against the most wicked and most impious kings, to stir up the people against their most gracious sovereign." If this were really the case, yet the king's divines came not behind them in applying the absolute dominion of the kings of Judah in support of the unbounded prerogative of the kings of England, and in cursing the parliament, and pronouncing damnation upon all who died in their service. I could produce a large catalogue of shocking expressions to this purpose, but I wish such offences buried in oblivion, and we ought not to form our judgments of great bodies of men, from the excesses of a few.

We shall have an opportunity, hereafter, to compare the learning of the Puritan divines \* with the royalists, when it will appear, that there were men of no less eminence for literature with the parliament than with the king, as the Seldens, the Lightfoots, the Cudworths, the Pococks, the Whichcotes, the Arrowsmiths, &c. ; but as to their morals, their very adversaries will witness for them. Dr. G. Bates, an eminent royalist, in his *Elenchus*, gives them this character, "*Moribus severis essent, in concionibus vehementes, precibus et piis officiis prompti, uno verbo ad cætera boni :*" i. e. "They were men of severe and strict morals, warm and affectionate preachers, fervent in prayer, ready to all pious offices, and in a word, otherwise [that is, abating their political principles] good men." And yet with all their goodness they were unacquainted with the rights of conscience, and when they got the spiritual sword into their hands managed it very little better than their predecessors the bishops.

The clergy who espoused the king's cause were, the bench of bishops, the whole body of the cathedral, and the major part of

sonages are amenable for evil conduct. But, besides that they are given detached from their connexion, it is to be considered, that if Mr. Neal had read the same discourses, they would affect his mind differently from what they did Dr. Grey : who, through all his animadversions, appears to have looked on Charles as an immaculate prince, and to have been a disciple to the advocates for passive obedience and nonresistance.—Ed.

\* Mr. Neal is here charged with contradicting what he had said p. 159, where he speaks of "the great scarcity of preachers of a learned education." This is said, when Mr. Neal is representing the difficulty the assembly of divines had to supply the pulpits through the country. This might be the case when speaking of the kingdom at large, and yet there might be some of no less eminence for literature than any who sided with the king. Mr. Neal gives the names of such. But bishop Warburton will not allow, that they were of the parliament-party : "the most that can be said of them is (he adds), that they submitted to the power." But their acting with the assembly of divines was, certainly, more than a submission to power ; it was taking a lead in the affairs of the parliament : this, if the cause had been repugnant to their principles, they might, and as honest men would, have declined doing : as did bishop Usher, Dr. Holdsworth, and the other episcopalian divines who were also chosen to attend the assembly, but who stayed away from it ; because it was not, in their opinion, a legal convocation.—Ed.



the parochial clergy, with the heads, and most of the fellows of both universities, among whom were men of the first rank for learning, politeness, piety, and probity of manners, as archbishop Usher, bishop Hall, Moreton, Westfield, Brownrigge, Prideaux, Dr. Hammond, Saunderson, &c. who joined the king, not merely for the sake of their preferments, but because they believed the unlawfulness of subjects resisting their sovereign in any case whatsoever. Among the parochial clergy were men of no less name and character. Lord Clarendon\* says, "that if the sermons of those times preached at court were collected together and published, the world would receive the best bulk of orthodox divinity, profound learning, convincing reason, natural powerful eloquence, and admirable devotion, that hath been communicated in any age since the apostles' time." And yet, in the very same page, he adds, "There was sometimes preached there, matter very unfit for the place, and scandalous for the persons." I submit this paragraph to the reader's judgment; for I must confess, that after having read over several of these court-sermons, I have not been able to discover all that learning and persuasive eloquence which his lordship admires; nor can much be said for their orthodoxy, if the thirty-nine articles be the standard. But whatever decency was observed at court, there was hardly a sermon preached by the inferior clergy within the king's quarters, wherein the parliament divines were not severely exposed and ridiculed, under the character of Puritans, Precisians, Formalists, Sabbatarians, canting hypocrites, &c. Such was the sharpness of men's spirits on both sides!

Among the country clergy there was great room for complaints, many of them being pluralists, non-residents, ignorant and illiterate, negligent of their cures, seldom or never visiting their parishioners, or discharging any more of their function than would barely satisfy the law. They took advantage of the book of sports to attend their parishioners to their wakes and revels, by which means many of them became scandalously immoral in their conversations. Even Dr. Walker admits, that there were among them men of wicked lives, and such as were a reproach and scandal to their function; the particulars of which had better have been buried than left upon record†.

The common people that filled up the king's army were of the looser sort; and even the chief officers, as lord Goring, Granville, Wilmot, and others, were men of profligate lives, and made a jest of religion; the private sentinels were soldiers of fortune, and not having their regular pay, lived for the most part upon free plunder: when they took possession of a town, they rifled the houses of all who were called Puritans, and turned their families out of doors. Mr. Baxter says, "that when he lived at Coventry after the battle of Edgehill, there were above thirty worthy

\* Vol. 1. p. 77.

† Sufferings of the Clergy, p. 72.

ministers in that city who had fled thither for refuge from the soldiers and popular fury, as he himself also had done, though they had never meddled in the wars; among these were, the reverend Mr. Vines, Mr. Anthony Burgess, Mr. Burdal, Mr. Bromshil, Dr. Bryan, Grew, Craddock, and others. And here (says he) I must repeat the great cause of the parliament's strength, and of the king's ruin; the debauched rabble, encouraged by the gentry, and seconded by the common soldiers of his army, took all that were called Puritans for their enemies; so that if any man was noted for a strict and famous preacher, or for a man of a precise and pious life, he was plundered, abused, and put in danger of his life; if a man prayed in his family, or was heard to repeat a sermon, or sing a psalm, they presently cried out, Rebels, roundheads, and all their money and goods proved guilty, however innocent they were themselves. Upon my certain knowledge it was this that filled the armies and garrisons of the parliament with sober and pious men. Thousands had no mind to meddle in the wars, but to live peaceably at home, if the rage of the soldiers and drunkards would have suffered them. Some stayed at home till they had been imprisoned; some till they had been plundered twice or thrice over, and had nothing left; others were quite tired out with the insolence of their neighbours; with being quartered upon, and put in continual danger of their lives, and so they sought refuge in the parliament-garrisons \*."

This was so notorious, that at length it came to the king's ear, who, out of mere compassion to his distressed subjects, issued out a proclamation, bearing date November 25, 1642, for the better government of his army; the preamble of which sets forth, "that his majesty, having taken into his princely consideration the great misery and ruin of his subjects, by the plundering, robbing, and spoiling of their houses, and taking from them their money, plate, household-stuff, cattle, and other goods, under pretence of their being disaffected to us and our service, and these unlawful and unjust actions done by divers soldiers of our army, and others sheltering themselves under that title; his majesty, detesting such barbarous proceedings, forbids his officers and soldiers to make any such seizures for the future, without his warrant. And if they go on to plunder and spoil the people, by taking away their money, plate, household-goods, oxen, sheep, or other cattle; or any victuals, corn, hay, or other provisions, going to or from any market, without making satisfaction, his majesty orders them to be proceeded against by martial law." This was as much as the king could do in his present circumstances; yet it had very little effect, for his majesty having neither money or stores for his army, the officers could maintain no discipline, and were forced to con-  
 nive at their living at free quarter upon the people.

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\* Baxter's Life, p. 44.



Thus this unhappy nation was miserably harassed, and thrown into terrible convulsions, by an unnatural civil war; the nobility and gentry, with their dependants, being chiefly with the king; the merchants, tradesmen, substantial farmers, and in general the middle ranks of people, siding with the parliament.

It is of little consequence to inquire, who began this unnatural and bloody war. None will blame them, on whose part it was just and unavoidable, for taking all necessary precautions in their defence, and making use of such advantages as Providence put into their hands to defeat the designs of the enemy, and nothing can excuse the other. His majesty professed before God to his nobles at York, that he had no intention to make war upon his parliament. And in his last speech upon the scaffold he affirms, "that he did not begin a war with the two houses of parliament, but that they began with him upon the point of the militia; and if any body will look upon the dates of the commissions (says his majesty), theirs and mine, they will see clearly that they began these unhappy troubles, and not I." Yet with all due submission to so great an authority, were the dates of commissions for raising the militia the beginning of the war? Were not the crown-jewels first pawned in Holland, and arms, ammunition, and artillery sent over to the king at York? Did not his majesty summon the gentlemen and freeholders to attend him as an extraordinary guard, in his progress in the north, and appear before Hull in a warlike manner, before the raising the militia? Were not these warlike preparations? Dr. Welwood says, and I think all impartial judges must allow, that they look very much that way. Mr. Echard is surprised that "the king did not put himself into a posture of defence sooner \*;" but he would have ceased to wonder, if he had remembered the words of lord Clarendon: "The reason why the king did not raise forces sooner was, because he had neither arms nor ammunition, and till these could be procured from Holland, let his provocations and sufferings be what they would, he was to submit and bear it patiently." It was therefore no want of will, but mere necessity, that hindered the king's appearing in arms sooner than he did. Father Orleans confesses, that it was agreed with the queen in the cabinet-council at Windsor, that while her majesty was negotiating in Holland, the king should retire to York and there make his first levies. He adds, "that all mankind believed that his majesty was underhand preparing for war, that the sword might cut asunder those knots he had made with his pen."

In order to excuse the unhappy king, who was sacrificed in the house of his friends, a load of guilt is with great justice laid upon the queen, who had a plenitude of power over his majesty, and could turn him about which way she pleased. Bishop Burnet says, "that by the liveliness of her discourse she made great

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\* Memoirs, p. 64.

impressions upon the king; so that to the queen's want of judgment, and the king's own temper, the sequel of all his misfortunes was owing \*." Bishop Kennet adds, that "the king's match with this lady was a greater judgment upon the nation, than the plague which then raged in the land; and that the influence of a stately queen over an affectionate husband, proved very fatal both to prince and people, and laid in a vengeance for future generations." The queen was a great bigot to her religion, and was directed by her father confessor to protect the Roman Catholics, even to the hazard of the king's crown and dignity. Though his majesty usually consulted her in all affairs of state, yet she sometimes presumed to act without him, and to make use of his name without his knowledge. "It was the queen that made all the great officers of state (says lord Clarendon), no preferments were bestowed without her allowance." She was an enemy to parliaments, and pushed the king upon the most arbitrary and unpopular actions, to raise the English government to a level with the French. It was the queen that countenanced the Irish insurrection; that obliged the king to go to the house of commons and seize the five members; and that was at the head of the council at Windsor, in which it was determined to break with the parliament and prepare for war; "this (says the noble historian; viz. the king's perfect adoration of his queen, his resolution to do nothing without her), and his being inexorable as to every thing he promised her, were the root and cause of all other grievances. The two houses often petitioned the king not to admit her majesty into his councils, or to follow her advice in matters of state; but he was not to be moved from his too servile regards to her dictates, even to the day of his death.

Sundry others of his majesty's privy-council had their share in bringing on the calamities of the war, though when it broke out they were either dead, dispersed, or imprisoned; as, the duke of Buckingham, earl of Strafford, archbishop Laud, Finch, Windebank, Noy, &c. These had been the most busy actors at the council-table, the star-chamber, and court of high-commission, and were at the head of all the monopolies and illegal projects that enslaved the nation for above twelve years, and might have done it for ever, had they been good husbands of the public treasure, and not brought upon themselves the armed force of a neighbouring nation. The politics of these statesmen were very unaccountable, for as long as they could subsist without a parliamentary supply, they went on with their ship-money, court and conduct money, monopolies, and such-like resources of the prerogative; as soon as the parliament sat, these were suspended, in expectation of a supply from the two houses, before they had inquired into the late inroads upon the constitution; but

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\* History of his Life and Times, vol. 1, p. 39, Scotch edition.



when they found this could not be obtained, they broke up the parliament in disgust, fined and imprisoned the members for their freedom of speech, and returned to their former methods of arbitrary government. All king Charles's parliaments had been thus dissolved, even to the present, which would undoubtedly have been treated in the same manner, had it not been for the act of continuation\*.

On the other hand, a spirit of English liberty had been growing in the nation for some years, and the late oppressions, instead of extinguishing it, had only kept it under ground, till having collected more strength, it burst out with the greater violence; the patriots of the constitution watched all opportunities to recover it: yet, when they had obtained a parliament by the interposition of the Scots, they were disposed to take a severe revenge upon their late oppressors, and to enter upon too violent measures in order to prevent the return of power into those hands that had so shamefully abused it. The five members of the house of commons, and their friends who were concerned in inviting the Scots into England, saw their danger long before the king came to the house to seize them, which put them upon concerting measures not only to restore the constitution, but to lay further limitations upon the royal power for a time, that they might not be exposed to the mercy of an incensed prince, so soon as he should be delivered from the present parliament. It is true, his majesty offered a general pardon at the breaking up of the session, but these members were afraid to rely upon it, because, as was said, there was no appearance that his majesty would govern by law for the future, any more than he had done before.

The king, being made sensible of the designs and spirit of the commons, watched all opportunities to disperse them, and not being able to gain his point, resolved to leave the two houses, and act no longer in concert with them, which was in effect to determine their power; for to what purpose should they sit, if the king will pass none of their bills; and forbid his subjects to obey any of their votes or ordinances till they had received the royal assent? It was this that dismembered and broke the constitution, and reduced the parliament to this dilemma, either to return home, and leave all things in the hands of the king and queen and their late ministry; or to act by themselves, as the guardians of the people, in a time of imminent danger: had they dissolved themselves, or stood still while his majesty had garrisoned the strong fortresses of Portsmouth and Hull, and got possession of all the

\* This act has been called "a violent breach of the constitution of this government:" but the author who has cast this reproach on it, also observes, that "if this act had not been obtained, perhaps it would have been impossible to oppose the king's attempts with effect." On this ground the "act of continuation" has been called "an act of fidelity of the representatives of the people to their constituents; an instance of the expedience and righteousness of recovering the violated constitution, by means not strictly justifiable when the times are peaceable, and the torts of government just and upright." *Memoirs of Hollis*, vol. 2. p. 591.—*ED.*

arms, artillery, and ammunition of the kingdom; had they suffered the fleet to fall into his majesty's hands, and gone on meekly petitioning for the militia, or for his majesty's return to his two houses of parliament, till the queen was returned with foreign recruits, or the Irish at liberty to send his majesty succours, both they and we must in all probability have been buried in the ruins of the liberties of our country. The two houses were not insensible of the risk they ran in crossing the measures of their sovereign, under whose government they thought they were to live, and who had counsellors about him who would not fail to put him upon the severest reprisals, as soon as the sword of the kingdom should return into his hands; but they apprehended that their own and the public safety was at stake; that the king was preparing to act against them, by raising extraordinary guards to his person, and sending for arms and ammunition from abroad; therefore they ventured to make a stand in their own defence, and to perform such acts of sovereignty as were necessary to put it out of the power of the court, to make them a sacrifice to the resentments of their enemies.

But though in a just and necessary war, it is of little moment to inquire who began it, it is nevertheless of great consequence to consider on which side the justice of it lies. Let us therefore take a short view of the arguments on the king's side, with the parliament's reply.

1. It was argued by the royalists, "that all grievances both real and imaginary were removed by the king's giving up ship-money, by his abolishing the court of honour, the star-chamber, and high-commission, and by his giving up the bishops' votes in parliament \*."

The parliament writers own these to be very important concessions, though far from comprehending all the real grievances of the nation. The queen was still at the head of his majesty's councils, without whose approbation no considerable affairs of government were transacted. None of the authors of the late oppressions had been brought to justice, except the earl of Strafford; and it is more than probable, if the parliament had been dissolved, they would not only have been pardoned, but restored to favour. Though bishops were deprived of their seats in parliament, yet the defects in the public service, of which the Puritans complained, were almost untouched, nor were any effectual measures taken to prevent the growth of Popery, which threatened the ruin of the Protestant religion.

2. It was argued farther, "that the king had provided against any future oppressions of the subjects by consenting to the act for triennial parliaments."

To this it was replied, that the triennial act, in the present situation of the court, was not a sufficient security of our laws

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\* Clarendon, vol. 1. p. 262.



and liberties; for suppose at the end of three years, when the king was in full possession of the regal power, having all the forts and garrisons, arms and ammunition, of the kingdom at his disposal, with his old ministry about him, the council should declare, that the necessity of his majesty's affairs obliged him to dispense with the triennial act, what sheriff of a county, or other officer, would venture to put it in execution? Besides, had not the king, from this very principle, suspended and broke through the laws of the land for twelve years together before the meeting of this parliament? And did not his majesty yield to the new laws with a manifest reluctance? Did he not affect to call them acts of grace, and not of justice? Were not some of them extorted from him by such arguments as these: "that his consent to them being forced, they were in themselves invalid, and might be avoided in better times?" Lord Clarendon says\*, he had reason to believe this; and if his lordship believed it, I cannot see how it can reasonably be called in question. Bishop Burnet is of the same mind, and declares, in the history of his life and times, "that his majesty never came into his concessions seasonably, nor with a good grace; all appeared to be extorted from him: and there were grounds to believe, that he intended not to stand to them any longer than he lay under that force that visibly drew them upon him, contrary to his own inclinations." To all which we may add the words of father Orleans the Jesuit, who says, "that all mankind believed at that time, that the king did not grant so much but in order to revoke all†."

3. It was said, "that the king had seen his mistake, and had since vowed and protested, in the most solemn manner, that for the future he would govern according to law."

To this it was replied, that if the petition of right so solemnly ratified from the throne, in presence of both houses of parliament, was so quickly broke through, what dependence could be had upon the royal promise? For though the king himself might be a prince of virtue and honour, yet his speeches, says Mr. Rapin, were full of ambiguities and secret reserves, that left room for different interpretations; besides, many things were transacted without his knowledge, and therefore so long as the queen was at the head of his councils, they looked upon his royal word only as the promise of a minor, or of a man under superior direction; which was the most favourable interpretation that could be made of the many violations of it in the course of fifteen years. "The queen, who was directed by Popish counsels (says bishop Burnet), could, by her sovereign power, make the king do whatsoever she pleased."

4. It was farther urged, "that the parliament had invaded the royal prerogative, and usurped the legislative power, without his majesty's consent, by claiming the militia, and the approbation

\* Clarendon, vol. 1. p. 430.

† History of his Own Times, vol. 1. p. 40. Edinburgh.

of the chief officers both civil and military, and by requiring obedience to their votes and ordinances."

This the two houses admitted, and insisted upon it as their right, in cases of necessity and extreme danger; of which necessity and danger, they, as the guardians of the nation, and two parts in three of legislature, were the proper judges: "The question is not (say they) whether the king be the fountain of justice and protection, or whether the execution of the laws belongs primarily to him? But if the king shall refuse to discharge that duty and trust, and shall desert his parliament, and in a manner abdicate the government, whether there be not a power in the two houses to provide for the safety and peace of the kingdom? or, if there be no parliament sitting, whether the nation does not return to a state of nature, and is not at liberty to provide for its own defence by extraordinary methods?" This seems to have been the case in the late glorious revolution of king William and queen Mary, when the constitution being broken, a convention of the nobility and commonalty was summoned without the king's writ, to restore the religion and liberties of the people, and place the crown upon another head.

5. The king on his part maintained, that "there was no danger from him, but that all the danger was from a malignant party in the parliament, who were subverting the constitution in church and state. His majesty averred, that God and the laws had intrusted him with the guardianship and protection of his people, and that he would take such care of them as he should be capable of answering for it to God."

With regard to dangers and fears, the parliament appealed to the whole world, whether there were not just grounds for them, after his majesty had violated the petition of right, and attempted to break up the present parliament, by bringing his army to London; after he had entered their house with an armed force, to seize five of their members; after he had deserted his parliament, and resolved to act no longer in concert with them; after his majesty had begun to raise forces under pretence of an extraordinary guard to his person, and endeavoured to get the forts and ammunition of the kingdom into his possession, against the time when he should receive supplies from abroad; after they had seen the dreadful effects of a bloody and unparalleled insurrection and massacre of the Protestants in Ireland, and were continually alarmed with the increase and insolent behaviour of the Papists at home; and lastly, after they had found it impracticable, by their most humble petitions and remonstrances, to remove the queen and her cabal of Papists from the direction of the king's councils; after all these things (say they) "we must maintain the grounds of our fears to be of that moment, that we cannot discharge the trust and duty which lie upon us, unless we do apply ourselves to the use of those means, which God and the



laws have put into our hands, for the necessary defence and safety of the kingdom\*."

There were certainly strong and perhaps unreasonable jealousies and apprehensions of danger on both sides. The king complained that he was driven from Whitehall by popular tumults, where neither his person nor family could remain in safety. He was jealous (as he said) for the laws and liberties of his people, and was apprehensive that his parliament intended to change the constitution, and wrest the sceptre and sword out of his royal hands. On the other side, the two houses had their fears and distrusts of their own and the public safety; they were apprehensive, that if they put the forts and garrisons and all the strength of the kingdom into his majesty's power, as soon as they were dissolved, he, by the influence of his queen and his old counsellors, would return to his maxims of arbitrary government, and never call another parliament; that he would take a severe revenge upon those members who had exposed his measures, and disgraced his ministers; and in a word, that he would break through the late laws, as having been extorted from him by force or violence; but it was very much in the king's power, even at the treaty of Uxbridge in 1644—5, to have removed these distrusts, and thereby have saved both himself, the church, and the nation; for, as the noble historian observes, "the parliament took none of the points of controversy less to heart, or were less united in any thing, than in what concerned the church†." And with regard to the state, that "many of them were for peace, provided they might have indemnity for what was past, and security for time to come." Why then were not this indemnity and security offered? which must necessarily have divided the parliamentarians, and obliged the most rigorous and violent to recede from their high and exorbitant demands; and by consequence have restored the king to the peaceable possession of his throne.

Upon the whole, if we believe with the noble historian, and the writers on his side, "that the king was driven by violence from his palace at Whitehall, and could not return with safety; that all real and imaginary grievances of church and state were redressed; and that the kingdom was sufficiently secured from all future inroads of Popery and arbitrary power by the laws in being;" then the justice and equity of the war were most certainly with the king. Whereas, if we believe "that the king voluntarily deserted his parliament, and that it was owing alone to his majesty's own peremptory resolution, that he would not return (as lord Clarendon admits).—If by this means the constitution was broken, and the ordinary courts of justice necessarily interrupted.—If there were sundry grievances still to be redressed, and the king resolved to shelter himself under the laws in being,

\* Rapin, p. 468.

† Vol. 2. p. 581. 594.

and to make no farther concessions. If there were just reasons to fear," with bishop Burnet and father Orleans, that the king "would abide by the late laws no longer than he was under that force that brought them upon him." In a word, "if in the judgment of the majority of lords and commons, the kingdom was in imminent danger of the return of Popery, and arbitrary power, and his majesty would not condescend so much as to a temporary security for their satisfaction;" then we must conclude, that the cause of the parliament at the commencement of the war, and for some years after, was not only justifiable, but commendable and glorious; especially if we believe their own most solemn protestation\*, in the presence of Almighty God, to the kingdom and to the world; "that no private passion or respect, no evil intention to his majesty's person, no designs to the prejudice of his just honour or authority, had engaged them to raise forces, and take up arms against the authors of this war in which the kingdom is inflamed †."

\* Rushworth, vol. 2. part 3. p. 26.

† Bishop Warburton grants, that "Charles was a man of ill faith:" from whence arose the question, "whether he was to be trusted? Here (he adds) we must begin to distinguish. It was one thing, whether those particulars, who had personally offended the king, in the manner by which they extorted this amends from him; and another, whether the public, on all principles of civil government, ought not to have sat down satisfied. I think particulars could not safely take his word; and that the public could not honestly refuse it. You will say then, the leaders in parliament were justified in their mistrust. Here, again, we must distinguish. Had they been private men, we should not dispute it. But they bore another character; they were representatives of the public, and should therefore have acted in that capacity." Some will consider these distinctions, set up by his lordship, as savouring more of chicanery than solid reasoning. The simple question is, Was Charles worthy to be trusted? No! His lordship grants, that he was a man of ill faith. How then could the representatives of the people honestly commit the national interest to a man, whose duplicity and insincerity had repeatedly deceived them: and in deceiving them had deceived the public? If they could not safely take his word for themselves; how could they do it for their constituents? In all their negotiations with him, they had been acting not for themselves only, but for the nation. It was inconsistent with the trust invested in them to sacrifice or risk the national welfare by easy credulity; a credulity, which in their private concerns wisdom and prudence would have condemned. Besides, the insincerity of Charles had been so notorious, they had no ground to suppose that the public could or would take his word: much less that the public would expect or approve of their doing it; to whom the proofs of his insincerity offered themselves immediately and with all their force.—ED.



## PART III.

## CHAPTER I.

FROM THE BATTLE OF EDGEHILL TO THE CALLING THE  
ASSEMBLY OF DIVINES AT WESTMINSTER.

THE king having recruited his army at Oxford, after the battle of Edgehill, by the assistance of the university, who now gave his majesty all their money, as they had before done their plate, resolved to pursue his march to London, in order to break up the parliament, and surprise the city; while the earl of Essex, imagining the campaign was ended, lay quiet about Warwick, till being informed of the king's designs, he posted to London, and ordered his forces to follow with all expedition. The earl arrived November 7, 1742, and was honourably received by both houses of parliament, who presented him with a gratuity of 5,000*l.* and to strengthen his army passed an ordinance, that such apprentices as would list in their service should be entitled to a freedom of the city at the expiration of their apprenticeship, equally with those who continued with their masters. In the beginning of November, the king took possession of Reading without the least resistance, the parliament-garrison having abandoned it, which alarmed both houses, and made them send an express to desire a safe conduct for a committee of lords and commons, to attend his majesty with a petition for peace\*; the committee waited on his majesty at Colnbrook, fifteen miles from London, and having received a favourable answer†, reported it to the two houses, who

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\* Rushworth, vol. 5. p. 58.

† "He seemed to receive the petition with great willingness; and called God to witness, in many protestations, that he was tenderly compassionate of his bleeding people, and more desirous of nothing than a speedy peace." May's Parliamentary History, b. 3. p. 33.—The immediate subsequent conduct of the king was, certainly, not consistent with such professions: yet Dr. Grey is displeased with Mr. Neal, for insinuating that it was a breach of promise, and accuses him of not giving the fairest account of this action, which, he says, the king sufficiently justified. But, when the doctor passed this censure, it seems that he had not looked forward to the next paragraph, where the motives of the king's behaviour are stated. The committee, deputed by the parliament to Colnbrook, consisted of the earls of Northumberland and Pembroke, lord Wainman, Mr. Pierpoint, sir John Ipsley, and sir John Evelyn: when the king refused to admit the last gentleman, because he had named him a traitor the day before; the parliament, though extremely displeased with the exception, so as to vote it a breach of privilege, yet, from their ardent desire of accommodation, permitted the petition to be presented without sir John Evelyn. May, b. 3. p. 32.—This yielding conduct leaves the king more inexcusable, as it serves to shew the sincerity of the parliament in their over-  
and lord Clarendon says, that it was believed by many, that had the king

immediately gave orders to forbear all acts of hostility, and sent a messenger to the king, to desire the like forbearance on his part; but the committee had no sooner left Colnbrook, than his majesty, taking the advantage of a thick mist, advanced to Brentford about seven miles from London\*, which he attacked with his whole army, November 13, and after a fierce and bloody rencounter with the parliament-garrison, wherein considerable numbers were driven into the Thames and slain, he got possession of the town, and took a great many prisoners. The consternation of the citizens on this occasion was inexpressible, imagining the king would be the next morning at their gates; upon which the lord-mayor ordered the trained bands immediately to join the earl of Essex's forces, which were just arrived at Turnham-green, under the command of major-general Skippon; and there being no farther thoughts of peace, every one spirited up his neighbour, and all resolved as one man to live and die together. Major Skippon went from regiment to regiment, and encouraged his troops with such short soldier-like speeches as these; "Come, my boys! my brave boys! I will run the same hazards with you; remember, the cause is for God and the defence of yourselves, your wives and children. Come, my honest brave boys! let us pray heartily, and fight heartily, and God will bless us." When they were drawn up, they made a body of about twenty-four thousand men eager for battle; but their orders were only to be on the defensive, and prevent the king's breaking through to the city. The two armies having faced each other all day, his majesty retreated in the night to Kingston, and from thence to Reading, where having left a garrison, he returned to Oxford about the beginning of December with his Brentford prisoners, the chief of whom were condemned to die†, and had been executed for high treason, if the two houses had not threatened to make reprisals‡. The parliament, to pre-

retired to Reading, and waited there for the answer of parliament, they would immediately have withdrawn their garrison from Windsor, and delivered that castle to his majesty for his accommodation to have carried on the treaty he had proposed. History, vol. 2. p. 73.—The motives, on which the king acted, in the action at Brentford, which Mr. Neal has compressed into one paragraph, Dr. Grey, by large quotations on different authorities, has extended through four pages, which affords a parade of confuting Mr. Neal.—ED.

\* Whitelocke, p. 62.

† Rushworth, vol. 5. p. 93.

The persons named by Rushworth, whom Mr. Neal quotes, were, Clifton Catesby, John Lilburne, and Robert Vivers. Dr. Grey says, that "it does not appear that these three were taken prisoners at Brentford." He should have added, from this place in Rushworth, to which the reference is here made. For in p. 83, Rushworth informs his readers, with respect to Lilburne in particular, that he owned that he was at Brentford: and by the others being included in the same sentence, it is probable, that they were involved in the same charge of acting against the king at Brentford.

‡ On the authority of lord Clarendon and Mr. Echard, Dr. Grey charges the chaplains of the parliament-army, Dr. Downing and Mr. Marshal, with publicly avowing "that the soldiers lately taken at Brentford, and discharged by the king upon their oaths that they would never again bear arms against him, were not obliged by that oath," and with absolving them from it. The doctor is also displeased with Mr. Oldmixon for treating this account as a falsehood. But he sup-



vent a like surprise of the city for the future, empowered the lord-mayor to cause lines of circumvallation to be drawn around it, and all the avenues fortified.

It was not without reason that the two houses complained of the king's extraordinary conduct on this occasion, which was owing to the violent counsels of prince Rupert and lord Digby, animated by some of his majesty's friends in the city, who imagined, that if the royal army appeared in the neighbourhood of London, the parliament would accept of his majesty's pardon and break up; or else the confusions would be so great, that he might enter and carry all before him; but the project having failed, his majesty endeavoured to excuse it in the best manner he could: he alleged, that there being no cessation of arms agreed upon, he might justly take all advantages against his enemies. He insisted farther upon his fears of being hemmed in by the parliament's forces about Colnbrook, to prevent which, it seems, he marched seven miles nearer the city. Lord Clarendon says\*, prince Rupert having advanced to Hounslow without order, his majesty at the desire of the prince marched forward, to disengage him from the danger of the forces quartered in that neighbourhood; which is so very improbable, that, in the opinion of Mr. Rapin, it is needless to refute it†. Upon the whole, it is extremely probable, the king came from Oxford with a design of surprising the city of London before the earl of Essex's army could arrive; but having missed his aim, he framed the best pretences to persuade the people, that his marching to Brentford was only in his own defence.

Though his majesty took all occasions to make offers of peace to his parliament, in hopes the nation would compel them to an agreement, by leaving him in possession of all his prerogatives, it is sufficiently evident he had no intentions to yield any thing to obtain it‡, for in his letter to duke Hamilton, dated December 2,

presses the grounds of Mr. Oldmixon's censure of it, which are these; in the first place, that there was no occasion to use these arts, when the prisoners amounted to but one hundred and fifty men, which could not be wanted when the city of London was pouring out recruits:—and then priestly absolution was not the practice, nor the power of it the claim, of Puritan divines. Rushworth, vol. 5. p. 59. Oldmixon's History of the Stuarts, p. 214.—ED.

\* History, p. 74.

† Rapin, vol. 2. p. 465. fol.

‡ Without controverting Mr. Neal's authority, Dr. Grey calls this a bold assertion, and appeals to various messages for an accommodation, which the king sent to the parliament. But of what avail, to prove a yielding and accommodating temper, are speeches without actions; or softening overtures, unless they be followed up by mild and pacific measures, adopted with sincerity, and adhered to with firmness? Did Charles I. act with this consistency? Let them who are acquainted with the history of his reign answer the question. Even lord Clarendon owns his belief, that in matters of great moment, an opinion that the violence and force used in procuring bills rendered them absolutely void, influenced the king to confirm them. History, vol. 1. p. 430.—What confidence could be placed in the professions and sincerity of a man who could be displeased with the earl of Northumberland, because he would not perjure himself for lord-lieutenant Strafford? Sydney's State Papers, quoted by Dr. Harris; Life of Charles I. p. 79, who has fully stated the evidence of Charles's dissimulation and want of faith. See also An Essay towards a true Idea of the Character and Reign of Charles I. p. 93, &c.—ED.

1642, he says, "he had set up his rest upon the justice of his cause, being resolved that no extremity or misfortune should make him yield, for (says his majesty) I will be either a glorious king or a patient martyr; and as yet not being the first, nor at this present apprehending the other, I think it no unfit time to express this my resolution to you\*." The justice of the cause upon which his majesty had set up his rest, was his declaration and promise to govern for the future according to the laws of the land; but the point was, to know whether this might be relied upon. The two houses admitted the laws of the land to be the rule of government†, and that the executive power in the time of peace was with the king‡; but his majesty had so often dispensed with the laws by the advice of a corrupt ministry, after repeated assurances to the contrary thereof, that they durst not confide in his royal word, and insisted upon some additional security for themselves, and for the constitution§. On the other hand, his majesty averred the constitution was in no danger from him, but from themselves, who were acting every day in defiance of it. To which it was answered, that it was impossible the laws should have their due course in time of war as in the height of peace, because this must effectually tie up their hands. Neither party by law could raise money upon the subject, without each other's consent; the king could not do it without consent of parliament, nor the parliament without the royal assent, and yet both had practised it since the opening of the war. To have recourse, therefore, to the laws of a well-settled government in times of general confusion, was weak and impracticable. Besides, his majesty refused to give up any of his late ministers to the justice of parliament; for in his letter to duke Hamilton, he says, that "his abandoning the earl of Strafford had gone so near him, that he was resolved no consideration should make him do the like again." Upon these resolutions, he declined the mediation of the Scots commissioners, which gave the several parties engaged against him, a fair opportunity of uniting their interests with that nation.

This was a nice and curious affair: the friends of the parliament, who were agreed in the cause of civil liberty, were far from being of one mind in points of church discipline; the major part were for episcopacy, and desired no more than to secure the con-

\* Duke of Hamilton's Memoirs, b. 4. p. 203.

† Rapin, vol. 2. p. 466.

‡ "Our laws have no where, that I know of, distinguished (says Dr. Grey) between times of peace or war, with regard to the king's executive power." This is true; but it was the infelicity of the times, of which Mr. Neal writes, that there arose new questions out of the present emergency for which the standing laws had made no provision; and difficulties to which they did not apply.—Ed.

§ "Mr. Neal (says Dr. Grey) has not produced one single proof in support of this assertion, and I challenge him to instance in particulars." This may appear a bold challenge from a writer, who professed to be conversant in the history of those times. But as the doctor has thrown it out, we will produce an instance of the king's violation of his word. He gave his assent to the petition of right, a kind of second magna charta: which he immediately violated, and continued to do for twelve years together. Essay towards a True Idea, &c. p. 94.—Ed.



stitution, and reform a few exorbitances of the bishops; some were Erastians, and would be content with any form of government the magistrate should appoint; the real Presbyterians, who were for an entire change of the hierarchy upon the foot of divine right, were as yet but few, and could carry nothing in the house; it was necessary therefore in treating with the Scots, who contended earnestly for their kirk-government, to deliver themselves in such general expressions, that each party might interpret them as they were inclined, or as should be expedient. This contented the Scots for the present, and left the parliament at full liberty, till they saw what terms they could make with the king. Nor could the churchmen be dissatisfied, because they knew if they could put a period to the war without the Scots, the two houses would not call in their assistance, much less submit to a kirk-discipline with which they had no manner of acquaintance; and therefore lord Clarendon was of opinion \*, that even at the treaty of Uxbridge, if the parliament could have obtained an act of oblivion for what was past, and good security for the king's government by law, the affair of religion might easily have been compromised; but it required all the prudence and sagacity the two houses were masters of, to keep so many different interests in point of religion united in one common cause of liberty and the constitution, at a time when great numbers of the king's friends, in the very city of London, were forming conspiracies to restore him without any terms at all.

The king's affairs had a promising aspect this winter; his forces in the north under the earl of Newcastle were superior to those of lord Ferdinando Fairfax. In the western and midland counties there were several sieges and rencounters with various success, but nothing decisive. Divers counties entered into associations for their mutual defence on both sides †. The four northern counties of Northumberland, Cumberland, Westmorland, and Durham, associated for the king ‡; after which the two houses encouraged the like in those that owned their authority, and appointed generals to command their troops; the chief of which was the eastern association of Essex, Cambridgeshire, the isle of Ely, Hertford, Norfolk, Suffolk, and the city of Norwich, whose militia were trained and ready to march where necessity should require within their several limits. In some parts of England the inhabitants resolved to stand neuter, and not be concerned on either side; but the parliament condemned and disannulled all such agreements.

As the two houses depended upon the assistance of the Scots, his majesty had expectations of foreign aids from the queen, who

\* Dr. Grey asks, "Where does lord Clarendon discover this opinion? As he (i. e. Mr. Neal) is faulty even when he quotes his authorities, I am unwilling to take his word, when he makes no reference at all." What will the reader think of the candour of this insinuation, when he is told, that the passages to which Mr. Neal refers are to be found in p. 581 and 594 of the second volume of lord Clarendon's History; and that they are expressly quoted, and the references are pointed out :-

-account of the treaty at Uxbridge?—Ed.

§ 5. p. 66.

† Ibid. p. 64.

had endeavoured, by the influence of her son-in-law the prince of Orange, to engage the states of Holland in the king's interest, but they wisely declared for a neutrality; however, they connived at her private negociations, and gave her a general passport, by virtue whereof she transported a very large quantity of arms and ammunition to Burlington-bay, and conveyed them to the king at York. His majesty also, in order to bring over the Irish forces under the command of the duke of Ormond, consented to a truce with the Irish rebels [signed September 15, 1643], in which he allowed the Catholics to remain in possession of what they had conquered since the Rebellion, to the great grief of the Protestants, who by this means were legally dispossessed of their estates: a most unpopular action, in favour of a people who, by their late massacre, were become the very reproach and infamy of human nature\*! Thus the whole kingdom was marshalled into parties, with their drawn swords eager to plunge them into each other's breasts†.

The parliament's cause having a dark and threatening aspect, the lords and commons were not forgetful to implore the divine blessing upon their counsels and arms; for which purpose they published an ordinance, February 15, 1642-3, exhorting to the duty of repentance, as the only remedy to prevent public calamities. It was drawn up by some of the Puritan divines; and because bishop Kennet has branded it with the reproachful characters of cant, broad hypocrisy, and a libel against the church, I will transcribe the substance of it in their own words.

"That flourishing kingdoms have been ruined, by impenitent going on in a course of sin, the sacred story plainly tells us; and how near to ruin our sinful nation now is, the present lamentable face of it does too plainly shew. And though we should feel the heavy stroke of God's judgments yet seven times more, it is our duty to accept the punishment of our iniquities, and to say, Righteous art thou, O Lord, and just are thy judgments. Yet, because the Lord, who is just, is also merciful, and in his infinite mercy has left the excellent and successful remedy of repentance to nations brought near the gates of destruction and despair. O! let not England be negligent in the application of it. Humble ad-

\* To wipe off the reflections which this transaction brings on the character of Charles I. Dr. Grey is large in producing authorities to shew, that the situation of the Protestants and of the army in Ireland, through the length of the war and the failure of supplies from England, required a cessation of arms. But, if the reader would see a full investigation of this business, he should consult Mrs. Macaulay's History, vol. 4. 8vo. p. 63-90. Two circumstances will afford a clue into the policy and design of this truce. To prevent opposition to it in the Irish council, the members who were suspected of an attachment to the parliament of England, were committed close prisoners to the castle. And the king derived from it, as the price of granting it, 38,000*l.* to assist him to carry on the war against his Protestant subjects in England. I will only add, that the main point aimed at by the rebels, and which the king encouraged them to expect, was a new parliament; which, as the kingdom was circumstanced, would have put the whole power of government into their hands. Mrs. Macaulay, p. 845.—ED.

† Rushworth, vol. 5. p. 537-539. 548.



dresses of a penitent people to a merciful God have prevailed with him : they have prevailed for Nineveh when sentence seemed to be gone out against her ; and may also prevail for England.

“ It is therefore thought necessary, by the lords and commons in parliament assembled, that all his majesty’s subjects be stirred up to lay hold of this only and unfailing remedy of repentance, freely acknowledging, and heartily bewailing with deepest humiliation, both their own personal sins, and those of the nation ; a confession of national sins being most agreeable to the national judgments under which the land groans, and most likely to be effectual for the removing of them.

“ Among the national sins are to be reckoned, the contempt of God’s ordinances, and of holiness itself ; gross ignorance, and unfruitfulness under the means of grace ; multitudes of oaths, blasphemies, profanation of the sabbath by sports and games ; luxury, pride, prodigality in apparel, oppression, fraud, violence, &c. a connivance, and almost a toleration of the idolatry of Popery, the massacre of Ireland, and the bloodshed of the martyrs in queen Mary’s time, which, having been a national sin, still calls for a national confession.

“ Now, that all the sin and misery of this polluted and afflicted nation may be bitterly sorrowed for, with such grief of heart, and preparedness for a thorough reformation, as God may be pleased graciously to accept, it is ordained that all preachers of God’s word do earnestly inculcate these duties on their hearers, that at length we may obtain a firm and happy peace, both with God and man ; that glory may dwell in our land ; and the prosperity of the gospel, with all the privileges accompanying it, may crown this nation unto all succeeding ages \*.”

The reverend prelate above mentioned makes the following remark upon this ordinance. “ When once the two houses could descend to have such fulsome penitential forms put upon them, to adopt and to obtrude in their name upon the nation, it was a sure sign, that all that was sound and decent in faith and worship was now to be commanded into enthusiasm and endless schisms.” I leave the reader to examine, whether he can find any ground for so severe a censure.

Though the king had rejected the Scots’ mediation, and set up his rest upon the justice of his cause, he was pleased before the beginning of the campaign to admit of a treaty with his two houses, for which purpose he sent a safe conduct to six lords, and as many commoners, with their attendants, to repair to him at Oxford, who, being admitted to an audience in one of the colleges, produced the following proposals, which were read by the earl of Northumberland :—

1. “ That the armies may be disbanded on both sides, and the king return to his parliament.

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\* Rushworth, vol. 5. p. 141.

2. "That delinquents may submit to a legal trial, and judgment of parliament.

3. "That all Papists be disbanded and disarmed.

4. "That his majesty will please to give his consent to the five bills hereafter mentioned.

5. "That an oath may be established by act of parliament, wherein the Papists shall abjure and renounce the pope's supremacy, transubstantiation, purgatory, worshipping the consecrated host, crucifixes and images; and the refusing such oath lawfully tendered shall be a sufficient conviction of recusancy.—That your majesty will graciously please to consent to a bill for the education of Papists in the Protestant religion.—And to another bill for the better putting the laws in execution against them.

6. "That the earl of Bristol, and lord Herbert, may be removed from your majesty's counsels, and from the court.

7. "That the militia may be settled in such manner as shall be agreed upon by both houses.

8. "That the chief justices and judges of the several courts of law may hold their place *quam diu se bene gesserint*.

9. "That such persons as have been put out of the commissions of the peace since April 1, 1642, may be restored, and that those whom the parliament shall except against be removed.

10. "That your majesty will please to pass the bill now presented, to secure the privileges of parliament from the ill consequences of the late proceedings against the lord Kimbolton and the five members.

11. "That an act may be passed for satisfying such public debts as the parliament has engaged the public faith for.

12. "That your majesty will please to enter into alliances with foreign Protestant powers, for the defence of the Protestant religion, and recovering the Palatinate.

13. "That in the general pardon, all offences committed before the 10th of January 1641, which have been or shall be questioned in the house of commons before the 10th of January 1643, be excepted.—That all persons concerned in the Irish rebellion be excepted; as likewise William earl of Newcastle, and George lord Digby.

14. "That such members of parliament as have been turned out of their places since the beginning of this parliament may be restored, and may have some reparation, upon the petition of both houses \*."

These things being granted and performed, we shall be enabled say they, to make it our hopeful endeavour, that your majesty and your people may enjoy the blessings of peace, truth, and justice.

The bills mentioned in the fourth proposition were these :

The first is entitled, "An act for the suppression of divers innovations in churches and chapels in and about the worship of

\* Rushworth, vol. 5. p. 165, 166.



God; and for the due observation of the Lord's day, and the better advancement of preaching God's holy word in all parts of this kingdom."

It enacts, "That all altars and rails be taken away out of churches and chapels before April 18, 1643, and that the communion-table be fixed in some convenient place in the body of the church. That all tapers, candlesticks, basins, crucifixes, crosses, images, pictures of saints, and superstitious inscriptions in churches or churchyards, be taken away or defaced.

"That all damages done to the churches, or windows of churches, by the removal of any of the aforesaid innovations, be repaired by the proper officers of the parish or chapel.

"This act is not to extend to any image, picture, or monument for the dead."

It enacts farther, "That all bowing towards the altar, or at the name of Jesus, shall be forborne; and for the better observation of the sabbath, that all dancing, gaming, sports, and pastimes, shall be laid aside. That every minister that has cure of souls shall preach, or expound the Scriptures, or procure some other able divine to preach to his congregation every Lord's day in the forenoon; and it shall be lawful for the parishioners to provide for a sermon in the afternoon, and a lecture on the week-day, where there is no other lecture or preaching at the same time; and if any person oppose or hinder them, he shall forfeit 40s. to the poor\*."

The second, entitled "An act for the utter abolishing and taking away of all archbishops, bishops, their chancellors, and commissaries," &c. has been already inserted in the former part of this history†.

The third is entitled, "An act for punishing scandalous clergymen, and others."

"It ordains, "That the lord-chancellor, or lord-keeper, for the time being, shall award commissions under the great seal, to persons of worth and credit in every county of England and Wales; which commissioners, or any three or more of them, shall have power to inquire by the oaths of twelve lawful men of the said county of the following offences in the clergy, viz. not preaching six times at least in a year, by any ecclesiastical persons having cure of souls under the age of sixty, and not hindered by sickness or imprisonment; of blasphemy, perjury, or subornation of perjury, fornication, adultery, common alehouse or tavern haunting, drunkenness, profane swearing or cursing, done or committed within three years past, by any parson or vicar, or other person having cure of souls, or by any lecturer, curate, stipendiary, schoolmaster or usher of any school. The commissioners shall take information by articles in writing; the party complaining to be bound in a recognizance of 10*l.* to prosecute at a time appointed: the articles of complaint being first delivered to the party complained of twenty days before

\* Husband's C

‡ Vol. 2. p. 498, 499.

the trial, that he may prepare for his defence. Upon conviction, by the verdict of twelve men, the party complained of shall be deprived of his spiritual promotions, and be adjudged a disabled person in law, to have and enjoy the same incumbency or ecclesiastical promotion. This act to continue till November 1, 1645, and no longer \*."

The fourth is entitled, "An act against the enjoying pluralities of benefices by spiritual persons, and nonresidence."

It enacts, "That all persons, that have two or more benefices with cure of souls, of what yearly value soever they be, shall resign them all but one, before April 1, 1643, any licence, toleration, faculty, or dispensation, to the contrary notwithstanding."

"That if any spiritual person, having cure of souls, shall be absent from his cure above ten Sundays, or eighty days in a year, except in case of sickness, imprisonment, or except he be a reader in either university, or be summoned to convocation; and be thereof lawfully convicted in any court of justice, that his living shall be deemed void, and the patron have power to nominate another person, as if the former incumbent was dead."

The fifth, for calling an assembly of learned and godly divines to be consulted with by the parliament, for the settling of the government and liturgy of the church, and for the vindication and clearing of the doctrine of the church of England from false aspersions and interpretations, will be inserted at large, when we come to the sitting of the assembly.

To the forementioned propositions and bills, his majesty, after a sharp reply† to the preamble, returned the following answer: That though many of them were destructive of his just power and prerogative, yet because they might be mollified and explained upon debates, he is pleased to agree that a time and place be appointed for the meeting of commissioners on both sides to discuss them, and to consider the following proposals of his own ‡:

1. "That his majesty's revenues, magazines, towns, forts, and ships, may be forthwith restored.

2. "That whatsoever has been done or published, contrary to the known laws of the land, and his majesty's legal rights, may be renounced and recalled.

3. "That whatever illegal power over his majesty's subjects has been exercised by either, or both houses, or any committee, may be disclaimed, and all persons that have been imprisoned by virtue thereof be forthwith discharged.

4. "That a good bill may be framed, for the better preserving the Book of Common Prayer from the scorn and violence of

\* Husband's Collections, fol. 140.

† Dr. Grey disputes the propriety of this epithet, applied to the king's reply. The reader may judge of it by referring to lord Clarendon's History, vol. 2. p. 123, &c.—ED.

‡ Rushworth, vol. 5. p. 169.



Brownists, Anabaptists, and other sectaries, with such clauses for the ease of tender consciences as his majesty has formerly offered \*.

5. "That all persons to be excepted out of the general pardon shall be tried *per pares*, according to common course of law, and that it be left to that, to acquit or condemn them.

6. "That in the meantime there be a cessation of arms, and free trade for all his majesty's subjects for twenty days."

His majesty desired the last article might be first settled, by which he proposed not only to gain time, but to provide himself with several necessities from London, and to convoy safely to Oxford the ammunition and other stores the queen had lately landed at Burlington-bay †; but the parliament were too sensible of his designs to consent to it. They therefore empowered their commissioners to begin with the first proposition, concerning restoring the revenues of the crown, and the delivery of his majesty's magazines, towns, forts, and ships, &c. All which they were authorized to agree to, on condition the persons with whom he would intrust them were such as they could confide in. To which the king replied, that the oaths of the officers were a sufficient security, and if they abused their trust he would leave them to the law. The commissioners then went upon the other articles, and spun out the treaty till the 12th of April, without concluding one single point. The king would be restored to the condition he was in before the war, upon a bare promise, that he would govern for the future according to law; but the parliament were resolved not to trust themselves nor the constitution in his hands, without the redress of some grievances, and a better security. Mr. Whitelocke says, that the commissioners (of which he was one) having been with the king one evening till midnight, gave his majesty such reasons to consent to a very material point, which would have much conduced to a happy issue and success of the treaty, that he told them, he was fully satisfied, and promised to let them have his answer in writing, according to their desire, next morning ‡. But when the commissioners were withdrawn, some of the king's bed-chamber, and they went higher, fearing the king's concessions would tend to peace, never left persuading him, till he had altered his resolution, and gave orders for the following answer to be drawn up, directly contrary to what he had promised the commissioners §.

\* The king had never made any offer of this kind but in general terms. Mrs. Macaulay.—Ed.

† Rapin, vol. 2, p. 476, folio.

‡ Whitelocke's Memoirs, p. 65.

§ Dr. Grey censures Mr. Neal, for not giving his reader Mr. Whitelocke's account of the king's great civility to the parliament-commissioners. We will supply the omission. "The commissioners were allowed by his majesty a very free debate with him, and had access to him at all times. He used them with great favour and civility; and his general Ruthen and divers of his lords and officers came frequently to their table. The king himself did them the honour sometimes to accept of part of their wine and provisions, which the earl (viz. of Northumber-

"As soon as his majesty is satisfied concerning his own revenue, magazines, ships, and forts, in which he desires nothing, but that the just known legal rights of his majesty, devolved to him from his progenitors, and of the persons trusted by him, which have violently been taken from both, be restored to him and them—

"As soon as all the members of both houses shall be restored to the same capacity of sitting and voting in parliament as they had on the 1st of January 1641, the same right belonging unto them by their birthrights, and the free elections of those that sent them; and having been voted from them for adhering to his majesty in these distractions; his majesty not intending that this should extend either to the bishops, whose votes have been taken away by bill; or to such in whose places, upon new writs, new elections have been made.

"As soon as his majesty and both houses may be secured from such tumultuous assemblies, as to the great breach of the privileges, and the high dishonour of parliaments, have formerly assembled about both houses, and awed the members of the same; and occasioned two several complaints from the house of lords, and two several desires of that house to the house of commons, to join in a declaration against them, the complying with which desire might have prevented all the miserable distractions which have ensued; which security his majesty conceives can be only settled by adjourning the parliament to some other place, at the least twenty miles from London, the choice of which his majesty leaves to both houses.

"His majesty, will then most cheerfully and readily consent, that both armies be immediately disbanded, and give a present meeting to both his houses of parliament, at the same time and place, at and to which the parliament shall agree to be adjourned.

"His majesty, being confident that the law will then recover its due credit and estimation, and that upon a free debate, in a full and peaceable convention of parliament, such provisions will be made against seditious preaching and printing against his majesty, and the established laws, which hath been one of the chief causes of the present distractions; and such care will be taken concerning the legal and known rights of his majesty, and the property and liberty of his subjects, that whatsoever hath been published or done in, or by colour of, any illegal declarations, ordinances, or order of one or both houses, or any committee of either of them, and particularly the power to raise arms without his majesty's consent, will be in such manner recalled, disclaimed, and provided against, that no seed will

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land) sent to him when they had any thing extraordinary." Whitelocke adds: "In this treaty the king manifested his great parts and abilities, strength of reason, and quickness of apprehension, with much patience in hearing what was objected against him: wherein he allowed all freedom." *Memorials*, p. 65.—ED.



remain for the like to spring out of for the future, to disturb the peace of the kingdom, and to endanger the very being of it \*."

His resolute answer broke off the treaty, and left the quarrel to be decided by the sword; upon which bishop Kennet makes the following remark: it is to be lamented, that some of the king's most intimate friends were against his concluding a peace, and others were against his obtaining an absolute victory. They were afraid he should comply, lest his prerogative might not be great enough to protect him; and yet afraid he should conquer, lest he might be tempted to assume an arbitrary power †." It is plain from hence, that by peace the king meant nothing but being restored to all the prerogatives of his crown as before the war, without any additional security; and that there was no room for a treaty till the previous question was determined, "Whether there was just reason to confide in the king, and restore him to his rights upon his bare promise of government by law for the future?" For all the propositions necessarily led to this point, and till this was decided it was in vain to lose time upon the others.

Thus ended the year 1642, in which died the famous Tobias Crisp, D.D. third son of Ellis Crisp, of London, esq. He was born in Bread-street, London, 1600, educated at Eton-school, and having taken the degree of bachelor of arts at Cambridge retired to Oxford, and was incorporated into Baliol-college in the beginning of February 1626. In the year 1627 he became rector of Brinkworth in Wiltshire, and a few years after proceeded D.D. At Brinkworth he was much followed for his edifying manner of preaching, and for his great hospitality. Upon the breaking out of the war he was obliged to fly to London, to avoid the insolences of the king's soldiers; where his peculiar sentiments about the doctrines of grace being discovered, he met with a vigorous opposition from the city divines. The doctor in his younger years had been a favourer of Arminianism, but changing his opinions, he ran into the contrary extreme of Antinomianism. He was certainly a learned and religious person, modest and humble in his behaviour, fervent and laborious in his ministerial work, and exact in his morals. Mr. Lancaster, the publisher of his works, says, "that his life was so innocent and harmless from all evil, so zealous and fervent in all good, that it seemed to be designed as a practical confutation of the slander of those who would insinuate that his doctrine tended to licentiousness." The doctor was possessed of a very large estate, with which he did a great deal of good; but being engaged in a grand dispute against several opponents (if we may believe Mr. Wood) he overheated himself, and fell sick of the small pox, of which he died February 27, 1642, and was buried in the family-vault in Bread-street, London ‡. In his last sickness he was in a most comfortable

\* Rushworth, vol. 5. p. 259, 260.

† Compl. Hist. p. 135.

‡ Wood's Athen. Oxon. vol. 2. p. 12, 13.

and resigned frame of mind, and declared to them that stood by, his firm adherence to the doctrines he had preached; that as he had lived in the belief of the free grace of God through Christ, so he did now with confidence and great joy, even as much as his present condition was capable of, resign his life and soul into the hands of his heavenly Father. He published nothing in his lifetime, but after his death his sermons were published in three volumes from his own notes, which, with some additions, were reprinted by his son, in one volume quarto, about the year 1689, and gave occasion to some intemperate heats among the Non-conformist ministers of those times.

Towards the end of this year died Robert lord Brooke, a virtuous and religious gentleman, a good scholar, and an eminent patriot, but a determined enemy of the hierarchy. In the beginning of the war he took part with the parliament, and being made lord-lieutenant of the counties of Warwick and Stafford, put himself at the head of twelve hundred men, and marched against the earl of Chesterfield at Litchfield, whom he dislodged from the town, March 1, but next day, as he was looking out of a window with his beaver up, and giving direction to his soldiers to assault St. Chad's church, adjoining to the close where the earl of Chesterfield's forces lay, a musket-ball struck him near the left eye, of which he instantly died. The Parliamentary Chronicle\* calls him "the most noble, and ever-to-be-honoured and renowned pious lord Brooke, whose most illustrious name and memory, both for his piety, prudence, incomparable magnanimity, and heroic martial spirit, for his loyalty to the king, and fidelity to his country, deserves to remain deeply engraven in letters of gold on high-erected pillars of marble†." On the other hand archbishop Laud, in his Diary,‡ has some very remarkable observations upon his death, which shew the superstition of that prelate. "First (says his grace,) I observe, that this great and known enemy to cathedral churches died thus fearfully, in the assault of a cathedral; a fearful manner of death in such a quarrel! Secondly, That this happened upon St. Chad's day, of which saint the cathedral bears the name. Thirdly, That this lord coming from dinner about two years since from the lord Herbert's house in Lambeth, upon some discourse of St. Paul's church then in their eye upon the water, said to some young lords that were with him, that he hoped to live to see that one stone of that building should not be left upon another; but that church stands yet, and that eye is put out, that hoped to see the ruins of it§."

\* P. 272.

† Parliamentary Chronicle, p. 272.

‡ P. 211.

§ It was the opinion of some of the royalists, and especially of the Roman Catholics, that the bullet was directed by St. Chad. It is observable, that the same man who was by one party looked upon as a monument of divine vengeance (see South's Sermons, serm. 1. p. 270.) was by the other revered as a saint. Baxter has placed him in heaven (Saints' Everlasting Rest, p. 82, 83, edit. 1649) together



While the treaty of Oxford was depending, his majesty's friends in the city were contriving to bring him to London, and deliver the parliament into his hands \*. Mr. Tomkins, Chaloner, and Waller a member of the house of commons, in conjunction with some others, were to carry off the king's children, to secure the most active members of the house of commons, as Mr. Pym, Hampden, Strode, &c. to seize the Tower and the gates of the city, with the magazines, and to let in a party of the royal forces, who were to be at hand; for all which they had the king's commission, dated March 16, 1643. The day of rising was to be the last Wednesday in May; but the plot being discovered by a servant of Tomkins's before it was ripe for execution, the conspirators were apprehended and tried; Tomkins and Chaloner confessed the facts, and were executed; but Waller purchased his life for 10,000*l.* and was banished †.

Upon this discovery both houses resolved to strengthen themselves by a new covenant or vow, which was tendered first to their own members, then to the army, and such of the people as were willing to take it ‡. In it they declare their abhorrence of the late plot, and engage not to lay down their arms as long as the Papists were protected from justice, but to assist the parliament according to their abilities in the just defence of the Protestant religion, and the liberties of the subject, against the forces raised by the king without their consent. Nevertheless the king's friends were not disheartened from entering into several other combinations against the parliament; one was discovered in August, and another towards the latter end of the year: even the lower sort of women, to the number of two or three thousand, with white silk ribands in their hats, went in a body to Westminster with a petition for peace upon the king's terms, and could not be dispersed without the military arm §: all which was occasioned by the correspondence the king held in London, notwithstanding the ordinance the parliament had published in April last, to prevent spies and intelligences from Oxford or the royal army, coming to any part of the parliament's quarters.

The king having failed in his designs of surprising the city, resolved at last to starve the citizens into their duty, for which purpose he issued a proclamation, July 17, prohibiting all intercourse of trade and commerce with them, and expressly forbidding all persons to travel to London, or to carry any goods, merchandise, or provisions, thither, without special licence from himself||. By another proclamation [Oct. 17] his majesty forbids his subjects of Scotland, and all foreign kingdoms and states in amity with him, to bring any ammunition, provision, goods, or merchandise, of

with White, Pym, and Hampden." Granger's History of England, vol. 2. p. 144. 8vo. See also Mrs. Macaulay's History, vol. 3. p. 417, 418, note, 8vo.—Ed.

\* Rushworth, vol. 5. p. 322. Rapin, vol. 2. p. 487, folio. † Ibid. p. 326, 327.

‡ Ibid. p. 357.

§ Ibid. p. 357.

|| Ibid. p. 357.

any sort, to London, or any other town or city in rebellion against him. The prohibiting foreign merchandises had very little influence upon the trade of the city, because the parliament were masters of the seas; but the town of Newcastle being garrisoned by the king, the Londoners were distressed the following winter for coals, which obliged them to have recourse to the digging turf, and cutting down all fell wood on the estates of delinquents within sixty miles of London. By another proclamation his majesty forbade all his subjects, upon pain of high treason, to obey the orders of parliament; and all tenants to pay their rents to such landlords as adhered to the rebellion, but to reserve them for his majesty's use.

After this account of things, it is reasonable to suppose that very extraordinary burdens must be laid upon the people on both sides to support the expenses of the war. The parliament at Westminster excised everything, even the necessaries of life: all butchers' meat paid one shilling in twenty; every rabbit a half-penny; and pigeons one penny in the dozen. The king's parliament at Oxford did the like in his majesty's quarters: and by an ordinance of March 26 following, all persons within the cities of London and Westminster, and the bills of mortality, were to pay the weekly value of one meal a week, on every Tuesday, for the public service, which they were supposed to abate in their families\*. Such were the hardships of the times!

The king's affairs this summer were very prosperous, and threatened the ruin of his enemies; for besides his army, which had been recruiting in the winter, the queen furnished him with foreign money, and with two thousand foot, a thousand horse, a hundred waggons laden with ammunition of all sorts, six pieces of cannon, and two mortars; upon which the house of commons impeached her of high treason, for levying forces without consent of parliament. In the month of April the earl of Essex besieged and took the town of Reading, from whence he marched within ten miles of Oxford, where prince Rupert with a party of horse beat up his quarters, and killed the famous Mr. Hampden in Chalgrave-field; after which Essex retired, and put his sickly forces into quarters of refreshment. In the north the king's armies had a train of successes. Lord Fairfax was defeated by the earl of Newcastle at Atherston-moor, June 30, and sir William Waller at the battles of Lansdown and Round-away-down, July 5 and 13, which was followed with the loss of Weymouth, Dorchester, Portland-castle, Exeter, and almost all the west. About the latter end of July prince Rupert besieged and took the city of Bristol, and the king himself sat down before Gloucester [August 10], which so alarmed the two houses, that the shops in London were ordered to be shut till the siege was raised, and a strong body of the

\* For a more minute detail of the ways by which the parliament raised money, see Dr. Grey, vol. 2. p. 42, &c. and *Historical Account of all Taxes*, p. 296, 297.

† Rapin, vol. 2. p. 477, folio.



trained bands dispatched to join the earl of Essex's broken troops, who, by this means, were in a condition in fifteen days to march to the relief of that important city; upon the earl's approach the king raised the siege, and Essex entered the town, when reduced to the last extremity; and having supplied it with necessaries, after three days returned towards London. The king being joined by prince Rupert with five thousand horse, got before him to Newbury, where both armies engaged with pretty equal success, till night parted them, when his majesty retired to Oxford, and left the way open for the earl to pursue his march\*. In this battle the city trained bands, by their undaunted bravery, are said to have gained immortal honour. But it is the opinion of most historians, that if, instead of sitting down before Gloucester, the king had marched his victorious army directly to London after the taking of Bristol, he might have put an end to the war, the parliament being in no readiness to oppose him; however, it is certain, that about this time the royal cause was in the height of its prosperity, and the parliament's at so low an ebb, that they were obliged to throw themselves into the hands of the Scots. It is no part of my design to give a particular description of sieges and battles, or a recital of the military exploits of the heroes of these times, any farther than to inform the reader of the true situation of affairs, and to enable him to form a just idea of the grounds and reasons of those extraordinary measures that each party took for the support of their cause. Let us now, therefore, attend the affairs of the church.

The clergy on both sides had a deep share in the calamities of the times, being plundered, harassed, imprisoned, and their livings sequestered, as they fell into the hands of the enemy. The king's party were greatly incensed against the Puritan clergy, as the chief incendiaries of the people and trumpeters of rebellion. Such as refused to read the king's proclamations and orders against the parliament were apprehended, and shut up in the common jails of York, and other places within his majesty's quarters. When any parties of the royal army got possession of a town that adhered to the parliament, they inquired presently for the minister's house, which was rifled and plundered of every thing that was valuable, and himself imprisoned, if he could be found; but the incumbents usually took care to avoid the danger, by flying to the next parliament-garrison. Above thirty Puritan ministers took shelter in the city of Coventry after the fight of Edgehill. Great numbers came to London with their families in a naked and starving condition leaving their books, and every thing they could not bring away, to the mercy of the king's soldiers. The prisoners underwent uncommon hardships, and would have been executed as rebels, if the parliament had not threatened reprisals.

On the other hand, the episcopal clergy were no less harassed by

\* Rushworth, vol. 5. p. 293, 294.

the parliament-soldiers; these being in possession of the best livings in the church, were liable to suffer the greatest damage; multitudes of them left their cures, and took sanctuary in the king's armies or garrisons, having disposed of their goods and chattels in the best manner they could. Others, who had rendered themselves obnoxious by their sermons, or declarations for the king, were put under confinement in Lambeth, Winchester, Ely, and most of the bishops' houses about London; and for want of room, about twenty, according to Dr. Walker, were imprisoned on board of ships in the river Thames, and shut down under decks, no friend being suffered to come to them\*. The same writer observes, that about one hundred and ten of the London clergy were turned out of their livings in the years 1642 and 1643, and that as many more fled to prevent imprisonment; yet it ought to be remembered, that none were turned out or imprisoned, for their adhering to the doctrine or discipline of the church of England, till after the imposing of the Scots covenant, but for immorality, false doctrine, nonresidence, or for taking part with the king against the parliament. However, it is to be lamented that several pious and worthy bishops, and other clergymen, who withdrew from the world, and were desirous to live peaceably without joining either side, suffered afterward in common with the rest of their brethren; their estates and livings being sequestered, their houses and goods plundered by ungovernable soldiers, and themselves reduced to live upon the fifths, or a small pension from the parliament, either because they could not take the covenant, or comply with the new directory for public worship. Among these we may reckon the most reverend archbishop Usher, bishop Morton, Hall, and many others. When the bishops' lands were seized for the service of the war, which was called *Bellum Episcopale*, or the Bishops' War, it was not possible to shew favour to any under that character: and though the two houses voted very considerable pensions to some of the bishops, in lieu of their lands that were sequestered, due care was not taken of the payment; nor would several of their lordships so far countenance the votes of the houses as to apply for it.

In order to account for these things, it will be necessary to set before the reader the proceedings of the several committees of religion from the beginning of the present parliament. It has been remembered, that a grand committee, consisting of the whole house of commons, was appointed November 6, 1640, to inquire into the scandalous immoralities of the clergy†, of which the famous Mr. White, member of parliament for Southwark, a good lawyer, and, according to Mr. Whitelocke, an honest, a learned, and faithful servant of the public, was chairman. Great numbers of petitions, with articles of misbehaviour, were brought before them, relating to superstition, heresy, or the immorality of their

\* Walker's *Suffering Clergy*, part 2. p. 180.

† Walker's *Attempt*, p. 63.



ministers, insomuch that the house was forced to branch the committee into several subdivisions, for the quicker dispatch of business. November 19, 1640, a sub-committee was appointed "to consider how there may be preaching ministers set up where there are none; how they may be maintained where there is no maintenance, and all other things of that nature; also to inquire into the true grounds and causes of the scarcity of preaching ministers throughout the kingdom, and to consider of some way of removing scandalous ministers, and putting others in their places." For which purposes the knights of shires and burgesses of the several corporations were ordered to bring informations within six weeks, of the state of religion in their respective counties. The sub-committee consisted of sixty-one members, together with the knights and burgesses of Northumberland, Wales, Lancashire, Cumberland, and the burgesses of Canterbury. Mr. White was chairman of this, as well as of the grand committee; they had their regular meetings in the court of wards, and from the powers above mentioned, were sometimes called the committee for preaching ministers, but more usually for scandalous ministers. They had the inspection of all hospitals and free-schools, and were authorised to consider of the expediency of sending commissions into the several counties, to examine such clergymen as were accused, and could not with convenience be brought up to London.

But presentments against the clergy came in so fast, that for the dispatch of business they were obliged to divide again into several smaller committees, which, from the names of the gentlemen in the respective chairs, were called Mr. White's, Corbet's, Sir Robert Harlow's, and Sir Edward Deering's committees, &c.\* Within a short space above two thousand petitions were brought before them, of which Mr. Corbet's committee had no less than nine hundred. Great complaints have been made of their severity, by those who will not believe the clergy were so corrupt as really they were; nor remember the political principles for which most of them suffered. The forms of proceeding in the committee were certainly unexceptionable, for they were obliged to give proper notice to the party accused to make his appearance; the witnesses were usually examined upon oath in his presence; a copy of the articles was given him if desired, and a reasonable time assigned to prepare for his defence†. The articles of inquiry on which they proceeded were, 1. Scandalous immoralities of life, as, drunkenness, swearing, incontinency, and sometimes blasphemy and sodomy. 2. False or scandalous doctrine, i. e. Popish and Arminian, these being understood to be inconsistent with the articles of the church of England. 3. Profanation of the sabbath, by reading and countenancing the book of sports. 4. Practising and pressing the late innovations, after

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\*empt, p. 65.

† Ibid. p. 81.

they had been censured by the parliament as illegal. 5. Neglect of their cures, by not preaching according to their duty. 6. Malignancy and disaffection to the parliament, discovered by their assisting his majesty with money, and persuading others to do so; by reading the king's declarations, and refusing to read the parliament's: by not observing the parliament's fasts, but calling them rebels, traitors, and wishing the curse of God upon them and their cause. These were apprehended reasonable matters of inquiry, and just grounds of exception, as matters stood between the king and the two houses. And after all, the final determination was not with the committee; their opinion, with the evidence, was first laid before the grand committee, then it was reported to the whole house, and finally referred to the house of lords before it was decisive. One would think, here should be little room for complaint, and yet there was too much passion and prejudice on both sides, which was owing to the confusion of the times, and the violent resentments of each party. The commissioners were too forward in exposing the failings of the clergy, and encouraging witnesses of slender credit; on the other hand, the clergy were insufferably rude to the committee, defaming their witnesses, and threatening revenge, for being obliged to plead their cause before laymen. However, few clergymen were sequestered by the committee for scandalous ministers before it was joined with that for plundered ministers; an account of which I shall lay before the reader, after I have given two or three examples of the proceedings of the present committee, from the relations of those clergymen who have left behind them an account of their sufferings.

The first is Mr. Symmonds, of Rayne in Essex, who acknowledges, that he was sequestered for preaching and publishing, that "the king being the supreme magistrate hath immediate dependence on God, to whom alone he is accountable.—That authority is a sacred thing, and essential to the king's person.—That resistance is against the way of God, destructive to the whole law of God, inconsistent with the spirit of the gospel, the perpetual practice of Christianity, the calling of ministers, common prudence, the rule of humanity, nature itself, reason, the oath of allegiance, and even the late protestation\*." Besides, he had notoriously defamed the parliament, and pressed his auditors to believe the king's declarations, "because a divine sentence was in his mouth, and he cannot err. And that if David's heart smote him for cutting off Saul's garment, what would it have done if he had kept him from his castles, towns, and ships?" For which reasons the lords and commons in parliament assembled, ordered [March 3, 1642] his living to be sequestered into the hands of Robert Atkins, M.A. who was appointed to preach every Lord's day till farther order. Mr. Symmonds endeavoured to discredit the evidence, but

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\* Walker's Suffering Clergy, p. 67.



so far from disowning the charge, that he afterward vindicated it in a pamphlet entitled, "The loyal Subject's Belief."

A second gentleman, who has left an account of his sufferings, is the reverend Mr. Squire of Shoreditch; he was articted against for "practising and pressing the late innovations, for saying the Papists were the king's best subjects, because of their loyalty and liberality; for declaring that none should come to the sacrament, unless they were as well affected to the king as the Papists; for comparing his majesty to the man that fell among thieves, being wounded in his honour, and robbed of his castles, and the hearts of his people; that the priest passing by, was the Protestant; the forward professor the Levite, but the Papist was the good Samaritan; and for affirming, that the king's subjects, and all that they had, were at his command\*." Mr. Squire denied some of these articles, and extenuated others; he procured a certificate from several of his parishioners of his diligence in preaching, in catechising, and in beating down Popery, for thirty years past, all which might be true; but Dr. Walker admits†, that from the beginning of the war he was a most strenuous champion for allegiance; that is, for passive obedience and nonresistance, and most earnestly exhorted his people to the practice of it, which, as the times then were, might be a sufficient reason for the parliament to silence him.

The other clergyman is Mr. Finch of Christ-church, who was articted against for extortion, superstition, nonresidence, and neglect of his cure, and for being a common swearer, tavern-hunter, and drunkard, which was proved by very substantial evidence. Dr. Walker's defence of this gentleman is very remarkable: "Common charity (says he) will oblige every one to give more credit to the bare word of a clergyman, though in his own vindication, than to that of his known and professed enemies‡." And yet, in the next page§, he owns he was not satisfied in Mr. Finch's character, nor in some parts of his defence, in which he thinks he does by no means acquit himself from having been a man of an ill life. His case was reported by the grand committee to the house of commons, and by them to the lords, who all agreed he was unfit to hold any ecclesiastical living.

It must be left with the impartial world to judge, whether the parliament had reason to sequester these clergymen, in their own defence. The last was a man of an immoral life, and the two former, allowing them to be otherwise good men, were certainly incendiaries against the two houses, and preached up those doctrines which were inconsistent with the constitution and freedom of this country, as most of the parochial clergy at that time did.

The committee for plundered ministers took its rise from those Puritan clergymen, who, being driven from their cures in the

\* Walker's Suffering Clergy, p. 67.

† Walker's Attempt, p. 71.

‡ Ibid. p. 176.

§ Ibid. p. 72.

country by the king's soldiers, fled to London with their families, leaving their substance and household-furniture to the mercy of the enemy; these being reduced to very great exigencies, applied to the parliament for relief; the commons first ordered a charitable collection for them at their monthly fast, and four days after viz. December 31, 1642, appointed a committee to consider of the fittest way "for the relief of such godly and well-affected ministers as have been plundered; and what malignant clergymen have benefices in and about the town, whose benefices being sequestered may be supplied by others who may receive their profits." The committee consisted of Mr. Solicitor General, Mr. Martyn, sir Gilbert Gerrard, sir William Armyn, Mr. Pridéaux, Mr. Holland, Mr. Rouse, Mr. Case, Mr. Knightly, sir William Hayman, Mr. Wentworth, Mr. Ruthen, Mr. Wheeler, and Mr. Spurstow, to whom were afterwards added some others; among whom Dr. Walker supposes was the famous Mr. White, who sat in the chair of this committee March 2, 1642-3. The commissioners were upon their oath; any four had a power to act; they were distinguished by the name of the "committee for plundered ministers;" but the royalists, by way of reproach, calling them the "committee for *plundering* ministers." They began their meetings in the court of exchequer, Jan. 2, in the afternoon; two days after they were ordered to examine the complaints against Dr. Soam, minister of Twittenham and Stains, to send for parties and witnesses, to consider of proper persons to supply the cures, to apply the revenues to their use if they found it necessary, and to report the proceedings to the house. July 27, 1643, they were empowered to consider of informations against scandalous ministers, though there were no malignancy proved against them, and to put out such whose scandal was sufficiently proved; from which time the committee for scandalous and plundered ministers were in a sort united, and so continued to the end of the long parliament\*.

In order to silence the clamours of the royalists, and justify the severe proceedings of these committees, it was resolved to print the cases of those whom they ejected, and submit their conduct to the public censure; accordingly, towards the latter end of the year, Mr. White the chairman published a pamphlet, entitled, "The first century of scandalous malignant priests, made and admitted into benefices by the prelate, in whose hands the ordination of ministers and government of the church had been; or, a narration of the causes for which the parliament has ordered the sequestration of the benefices of several ministers complained of before them, for viciousness of life, errors in doctrine, contrary to the articles of our religion, and for practising and pressing superstitious innovations against law, and for malignancy against the parliament." The author in his preface says, the reason of his appearing in print was, "that the parliament might appear just in their do-

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\* Walker's Attempt, p. 73.



ings, that the mouth of iniquity might be stopped; that all the world might see, that the tongues of them that speak evil of the parliament are set on fire of hell; that they hide themselves under falsehood, and make lies their refuge." And then adds, "that the grossest faults which were charged on the clergy were proved by many witnesses, seldom less than six." The whole century were convicted of malignity, or disaffection to the parliament; and about eighty of them of scandalous immoralities in their lives. Dr. Walker has endeavoured to recover the reputation of seven or eight, and would insinuate that the rest were convicted upon too slender evidence, the witnesses not being always upon oath, nor in his opinion of sufficient credit to impeach a clergyman; that some of the crimes were capital, and therefore if they had been proved, must have touched not only the livings but the lives of the criminals; and that the parliament who set up for precise morals, accepted the mere verbal evidence of the most infamous people. However, the doctor himself has admitted and confirmed the centurist's account of many of the scandalous ministers, by the inquiries he has made into their characters in the places from whence they were ejected. Mr. Fuller confesses, "that several of the offences of the clergy were so foul, that it is a shame to report them, crying to justice for punishment." But then adds, in favour of others, "that witnesses against them were seldom examined on oath. That many of the complainers were factious people. That some of the clergy were convicted for delivering doctrines that were disputable, and others only for their loyalty \*." Bishop Kennet says, that several of them were vicious to a scandal. And Mr. Archdeacon Echard is of the same mind. But Mr. Baxter's testimony is more particular and decisive, who says, "that in all the countries where he was acquainted, six to one at least, if not many more, that were sequestered by the committees, were by the oaths of witnesses proved insufficient or scandalous, or especially guilty of drunkenness and swearing. This I know (says the reverend author) will displease the party, but I am sure that this is true †."

It is impossible to account for the particular proceedings of all the committees, of which great outcries have been made by the friends of the sufferers. "If the meanest and most vicious parishioners could be brought to prefer a petition against their parson to the house of commons, how falsely soever (says lord Clarendon,) he was sure to be prosecuted for a scandalous minister‡." His lordship adds, "that the committees accepted of the evidence not only of mean people, but of them who were professed enemies of the discipline of the church; that they baited the clergy with rude and uncivil language; that they obliged them to a long and tedious attendance, and were very partial in voting them out of their livings, right or wrong." In another place he says, "that

\* Church History, b. 11. p. 207.

† Baxter's Life, p. 74.

‡ Sufferings of the Clergy, p. 65.

these complaints were frequently exhibited by a few of the meanest of the people against the judgment of the parish." The like representation is made by most of the royalists; but the writers on the side of the parliament deny the charge, and complain as loudly of the contemptuous behaviour of the king's clergy to the commissioners, treating them as a combination of illiterate laymen who had nothing to do with the church; nay, as rebels and traitors. Some refused to obey their summons, and others who appeared took their time in examining the spelling of words, the propriety of grammar, and other little evasions, foreign to the purpose. They declared roundly, they did not own the tribunal before which they stood; they insulted the witnesses, and threatened reprisals out of court, when things should revert to their former channel; and upon the whole behaved as if they had engrossed all the law, learning, and good sense of the nation to themselves. The commissioners, provoked with this usage, were obliged to behave with some sharpness, in order to support their own authority; they would not indulge them the peculiar privilege they claimed as clergymen, nor allow them as scholars to debate the truth of those doctrines of which they were accused, but confined them to matters of fact. When they excepted against the witnesses as ignorant mechanics, factious, schismatical, enemies to the church, &c. they overruled their exceptions, as long as there were no legal objections to their competency or credibility.

With regard to the country committees, the commissioners were chosen out of the deputy-lieutenants, and the best country gentlemen in the parliament interest. Most of the crimes for which the clergy were sequestered were confessed by themselves; superstition or false doctrine were hardly ever objected, far the greatest part being cast out for malignity; and yet the proceedings of the sequestrators were not always justifiable; for whereas a court of judicature should rather be counsel for the prisoner than the prosecutor, the commissioners considered the king's clergy as their most dangerous enemies, and were ready to lay hold of all opportunities to discharge them their pulpits.

But whatever might be the excesses or partiality of particular committees, no reasonable blame can be laid upon the two houses, whose instructions were, in my opinion, unexceptionable; the words of the ordinance are these:—"And to the end that those who will appear before the committee may have the witnesses examined in their presence, it is farther ordained, that summonses, with sufficient warning of the time and place when and where the charge against them shall be proved, be either given to their persons, or left at their houses; and if they desire it, they shall have a copy of the articles against them, with a convenient time to give in their answer under their hands, which together with their charge, and the proofs upon every particular of it, the said deputy-lieutenants, and committees of parliament, shall send up to the committee of this house, appointed to provide for plundered ministers; which



committee shall from time to time transmit them to this house \*." And further to prevent all abuses, it is ordained, in the ordinance for sequestration, "that if any person or persons find themselves aggrieved with any acts done by the sequestrators, their agents or deputies, and shall not therein be relieved by the sequestrators, upon complaint made to them, or any two or more of them; then upon information given to both houses of parliament, or to the committee of lords and commons aforementioned, such farther order shall be taken therein as shall be agreeable to justice †."

Here was an appeal from a lower to a higher court; and to prevent a scrutiny into the lives and manners of the clergy, when their witnesses might be dead, they were limited to such crimes as had been committed within three years before the beginning of the present parliament; so that if the committees observed their orders there could be little cause of complaint; yet, as no one will undertake to vindicate all their proceedings, we must not, on the other hand, give ear to the petulant and angry complaints of every discontented clergyman ‡. I shall only observe farther, that these country committees hardly began to sit till the latter end of the year 1643, or the beginning of 1644; that they exercised their power very sparingly while the war was in suspense, but when the royal forces had been beat out of the field, and victory declared on their side, they proceeded with more freedom, especially against those who had made themselves parties in the war.

Very different accounts are given of the numbers and quality of the ejected clergy by their several friends. Lord Clarendon says, that all the learned and orthodox divines of England were deemed scandalous. And Dr. Walker has taken a great deal of pains to increase their numbers, and vindicate their characters. By this account one would think most of them were of the first rank and character; but Mr. Baxter§, who was much better acquainted with them, says, "that when the parliament purged the ministry, they cast out the grosser sort of insufficient and scandalous ones, and also some few civil men who had assisted in the wars against the parliament, or set up bowing to altars, and such innovations, but they left in near one half of the ministers that were not good enough to do much service, nor bad enough to be utterly intolerable. These were a company of poor weak preachers, who had no great skill in divinity, nor zeal for godliness, but preached weekly that that was true, and were free from notorious sins." This seems a pretty fair relation of the matter; however, we shall have occasion to consider it more fully hereafter.

Besides the sequestration of benefices, the parliament considered the king's clergy as parties in the war, and seized their estates both real and personal under that character, towards defraying

\* Husband's Collections, p. 311.

† Sufferings of the Clergy, p. 81.

‡ Ibid. p. 15.

§ Life, p. 95.

the expenses of it; for this purpose they passed the following ordinance, April 1, 1643, the preamble to which sets forth\*, "that it is most agreeable to common justice, that the estates of such notorious delinquents as have been the causes or instruments of the public calamities, which have hitherto been employed to the fomenting and nourishing of this miserable distraction, should be converted and applied towards the support of the commonwealth.

"Be it therefore enacted, that the estates, as well real as personal, of all such bishops, deans, deans and chapters, prebends, archdeacons, and of all other persons ecclesiastical or temporal, who have or shall raise arms against the parliament; or have been, or shall be, in actual war against the same; or who have, or shall voluntarily contribute, money, horse, plate, arms, ammunition, or other aid or assistance, towards the maintenance of any force raised against the parliament, or for the plundering the king's subjects, who have willingly contributed, or yielded obedience, to the commands of both houses of parliament, and of all such who have joined or shall join in any oath or association against the parliament, &c. shall be seized into the hands of sequestrators, to be named by both houses of parliament, which sequestrators, or their deputies, are to seize into their hands, as well all the money, goods, chattels, debts, and personal estates, and all the manors, lands, tenements, hereditaments, rents, revenues, and profits, of all the said delinquents before specified; and also two parts of all the personal and real estates of every Papist, and to let, set, and demise, the same from year to year, as the respective landlords or owners thereof might have done. And the authority of both houses is engaged to save them harmless from paying any rents to their landlords being delinquents: and all the monies, rents, and revenues, that shall arise from this ordinance, shall be applied to the maintenance of the army and forces raised by the parliament, and such other uses as shall be directed by both houses of parliament for the benefit of the commonwealth."

August 19, 1643, this ordinance was farther explained, as including in the number of delinquents, such as absented from their usual places of abode, or betook themselves to the king's forces, such as should embezzle or conceal any of their effects, to avoid payment of taxes, and assessments to the parliament; or who kept out of the way, so that no tax could be levied upon them; or who concealed or harboured the goods or persons of delinquents; or who should seize or molest any persons for obeying or executing any of the parliament's orders†. A clause was then added to the ordinance, empowering the commissioners to allow to the wives and children of such delinquents, for their maintenance, any portion of their goods, provided it did not exceed one fifth part. This clause was construed to extend to the wives and children of all clergymen who were ejected their livings, on any account whatso-

\* Husband's Collections, fol. 13.

† Scobel's Collections, p. 49.



ever. The commissioners were also to seize two thirds of the estates of Papists, both real and personal, and for the discovering of them, were to tender to such as they suspected, the following oath :—

“I A. B. do abjure and renounce the pope's supremacy and authority over the Catholic church in general, and over myself in particular. And I do believe that there is not any transubstantiation in the sacrament of the Lord's supper, or in the elements of bread and wine after consecration thereof by any person whatsoever. And I do also believe that there is not any purgatory, or that the consecrated host, crucifixes, or images, ought to be worshipped ; or that any worship is due to any of them. And I also believe, that salvation cannot be merited by works ; and all doctrines in affirmation of the said points, I do abjure, and renounce, without any equivocation, mental reservation, or secret evasion whatsoever, taking the words by me spoken according to the common meaning of them.

“So help me God.”

Divers clergymen of considerable learning, and blameless lives, sound Protestants, and good preachers, lost their estates and livelihoods by falling within the compass of this ordinance. How far such severities are justifiable by the law of arms, in a time of civil war and confusion, I shall not determine. It had been well, if those who would have given security for their peaceable behaviour, could have been distinguished. But what could the parliament do in their circumstances with men who were always dealing in politics, privately sending the king money, preaching publicly that he was above law, and stirring up the people to sedition and disaffection to those powers by whom they were protected ? If others suffered in this manner it was a very hard measure ; their estates might have been double taxed, as those of Papists and nonjurors have since been ; but to take away their whole property, and reduce them to a fifth, and this at the mercy of sequestrators, was extremely rigorous and severe.

However, his majesty pursued the same measures, and gave directions to seize the lands and goods of the parliamentarians, as appears by his proclamation of April 7, and May 8, wherein he forbids all his subjects to submit to their orders ; and by another dated May 15, 1643, complains, “that divers of his clergy, eminent for piety and learning, because they publish his royal and just commands and declarations, and will not (against the known laws of the land, and their own consciences) submit to contributions, nor publicly pray against us and our assistants, but conform to the Book of Common Prayer established by law, and preach God's word according to the purity of it, and in their sermons, will not teach sedition, nor publish illegal commands and orders for fomenting the unnatural war levied against us, are some of them driven from their cures and habitations, others silenced and driven from their cures, and persecuted, and their curates, if

orthodox, displaced, in whose places factious and seditious persons are introduced.—His majesty therefore forbids all his subjects to hinder any of his clergy from exercising their functions, or to displace them; and if any transgress this command his majesty declares them assistants of the rebellion, and will proceed against them according to law, as soon as he can apprehend them, and in the meantime will give direction for taking their lands and goods into safe custody\*.” Such were the extremities on both sides!

The silencing so many clergymen at once made it very difficult to find persons qualified to fill the vacant pulpits. This was an inconvenience that attended the reformation of queen Elizabeth, and was the case of the established church again in the year 1662, when near two thousand ministers were ejected on account of their nonconformity. Lord Clarendon, with his usual candour, says, “that from the beginning of this parliament he is confident not one learned or orthodox man was recommended by them to any church in England;” and yet some of the greatest ornaments of the church for learning and good sense, in the reign of king Charles II. were of their promotion, as bishop Reynolds, bishop Wilkins, Dr. Lightfoot, Dr. Cudworth, Dr. Wallis, and others. Mr. Baxter, who was a more competent judge in this respect, says, † “that though now and then an unworthy person, by sinister means, crept into the places of the ejected ministers, yet commonly those whom they put in were such as set themselves laboriously to seek the saving of souls. Indeed the one half of them were very young, but that could not be helped, because there were no others to be had; the parliament could not make men learned or godly, but only put in the learnedest and ablest they could have; and though it had been to be wished, that they might have had leisure to ripen in the universities, yet many of them did, as Ambrose, teach and learn at once so successfully, as that they much increased in learning themselves whilst they profited others, and proportionably more than many in the universities do.” Those clergymen who had been silenced and imprisoned by archbishop Laud were set at liberty and promoted; some who had fled to Holland and New-England on the account of nonconformity returned home, and were preferred to considerable lectures in the city, or to livings that had been sequestered. The parliament entertained and promoted several Scots divines, and yet, after all, wanted a supply for several vacant benefices, which obliged them to admit of some unlearned persons, and pluralists, not of choice, but through necessity; for when things were more settled, the assembly of divines declared against both; and it deserves to be remembered that the parliament, instead of giving their divines an absolute and full possession of the sequestered livings, reserved to themselves a right in their warrants to displace them if they saw occasion, which

\* Husband's Collections, p. 177.

† Hist. of Life and Times, p. 74.



shews their great prudence and caution ; for by this means it was in their power, upon the conclusion of a peace, to restore those who had been ejected merely for their attachment to the king, without any injustice to the present possessor. To put some stop to the clamours of the royalists at Oxford, who gave out, that the parliament admitted butchers, cobblers, bricklayers, and those who had no call from God or man, they ordained, July 27, 1643, " that the committees should not nominate any person to vacant benefices, but such as should be examined and approved by the assembly of divines then sitting at Westminster." Upon the whole it is evident, that the two houses did the best they could in their present circumstances, and perhaps better than the royalists did at the Restoration 1660, when, according to Dr. Walker, all the sequestered clergy who survived were restored to their livings, even those who had been convicted of the most scandalous immoralities, without any marks of repentance or amendment.

43 The parliament's affairs being low, and their counsels divided, they not only applied to Heaven by extraordinary fastings and prayers, but went on vigorously with their intended reformation. They began with the sabbath, and on March 22, 1642—3, sent to the lord-mayor of the city of London, to desire him to put in execution the statutes for the due observation of the Lord's day ; his lordship accordingly issued his precept the very next day to the aldermen\*, requiring them to give strict charge to the church-wardens and constables within their several wards, that from henceforth " they do not permit or suffer any person or persons, in time of divine service, or at any time on the Lord's day, to be tipping in any tavern, inn, tobacco-shop, alehouse, or other victualling-house whatsoever ; nor suffer any fruiterers or herb-women to stand with fruit, herbs, or other victuals or wares, in any streets, lanes, or alleys, or any other ways to put things to sale, at any time of that day, or in the evening of it ; or any milk-woman to cry milk ; nor to suffer any persons to unlade any vessels of fruit, or other goods, and carry them on shore ; or to use any unlawful exercises or pastimes ; and to give express charge to all inn-keepers, taverns, cook-shops, alehouses, &c. within their wards, not to entertain any guests to tipple, eat, drink, or take tobacco, in their houses on the Lord's day, except inn-keepers, who may receive their ordinary guests or travellers, who come for the dispatch of their necessary business ; and if any persons offend in the premises, they are to be brought before the lord-mayor, or one of his majesty's justices of the peace, to be punished as the law directs." This order had a very considerable influence upon the city, which began to wear a different face of religion to what it had formerly done†. May 5, the book tolerating sports upon the Lord's day was ordered to be burnt by

\* Husband's Collections, p. 7.

† Ibid. p. 159.

the hands of the common hangman in Cheapside, and other usual places; and all persons having any copies in their hands were required to deliver them to one of the sheriffs of London to be burnt.

Next to the Lord's day they had a particular regard to their monthly fast: April 24, all constables, or their deputies, were ordered to repair to every house within their respective liberties, the day before every public fast, and charge all persons strictly to observe it according to the said ordinances. And upon the day of the public fast, they were enjoined to walk through their said liberties, to search for persons who either by following the work of their calling, or sitting in taverns, victualling, or ale-houses, or any other ways should not duly observe the same; and to return their names to the committee for examination, that they might be proceeded against for contempt. The fast was observed the last Wednesday in every month, the public devotions continued with little or no intermission from nine in the morning till four in the afternoon \*, and (as has been already observed) with uncommon strictness and rigour.

Besides the stated fasts, it was usual upon extraordinary emergencies to appoint occasional ones; as when the army was going upon any hazardous enterprise, or were within sight of the enemy, or under very disadvantageous circumstances. When the earl of Essex was shut up in Cornwall, the two houses appointed a day of fasting and prayer in six churches within the lines of communication, and in such other churches where it should be desired; and the crowds of serious attentive hearers on such occasions was almost incredible.

The king apprehending the parliament's monthly fast was perverted from its original design, and turned into a nursery of rebellion, was pleased to dissolve it, and appoint another for the reasons contained in the following proclamation from Oxford, dated October 5, 1643. "When a general fast was first propounded to us in contemplation of the miseries of our kingdom of Ireland, we readily consented to it.—But when we observe what ill use has been made of these public meetings, in pulpits, in prayers, and in the sermons of many seditious lecturers, to stir up and continue the rebellion raised against us within this kingdom;—we thought fit to command that such a hypocritical fast, to the dishonour of God, and slander of true religion, be no longer continued and countenanced by our authority.—And yet we being desirous to express our own humiliation and the humiliation

\* These services were protracted, undoubtedly, to a tiresome and unreasonable length; and became the subject of ridicule to the royal party. Of which this proposal, in a pamphlet entitled "New orders New," is a proof: viz. "that every year there shall be the Round-heads' feast celebrated, a well-lunged, long-breathed cobbler shall preach a sermon six hours, and his prayers two hours long, and at every mess in this feast shall be presented a godly dish of turnips, because it is very agreeable to our natures: for a turnip hath a round head, and the anagram of a Puritan is a turnip." Dr. Grey, p. 76, note.—Ed.



of our people, for our own sins, and the sins of the nation, are resolved to continue a monthly fast, but not on the day formerly appointed.—We do therefore hereby command, that from henceforth no fast be held on the last Wednesday in the month, as for many months it has been; nor on any other day than is hereby appointed by us. But we do expressly charge and command, that in all churches and chapels, &c. there be a solemn fast religiously observed on the second Friday in every month, with public prayers and preaching where it may be had, that as one man we may pour out our prayers to God, for the continuance of his gracious presence and blessing upon us, and for establishing a happy peace; for which purpose we have caused devout forms of prayer to be composed and printed, and intend to disperse them, that they may be used in all parts of our kingdom\*.” Agreeably to this proclamation, the king’s friends in the counties of Cornwall and Devonshire took an oath, and entered into an association upon sundry articles, of which this was one, That if any minister shall refuse, or wilfully neglect, to observe the fast appointed by his majesty, or shall not read the service and prayers appointed for that fast, and being carried before a justice of peace shall not promise and protest for their future conformity, he shall be forthwith secured, and his estates sequestered; the like course to be taken with such ministers as absent themselves that day, unless upon sickness, or other cause allowed by two justices of peace; and with those that will not read such books as shall be appointed to be read by his majesty; and the constables are to certify their defaults to the next justice of the peace†. This was a new hardship upon clergy and people, for the parliament having enjoined the continuance of the fast on Wednesday, the royalists were obliged to an open separation, by changing it to Friday. Thus the devotions of the kingdom were divided, and Almighty God called into the quarrel on both sides.

The next thing the parliament undertook, was the removal of those monuments of superstition out of churches, &c. which had been voted down the last year, but without any considerable effect, because of the dissent of the house of lords. In the beginning of May, sir Robert Harlow, by order of the two houses, took down the crosses in Cheapside, Charing-cross, and St. Paul’s cross‡, which was a pulpit of wood covered with lead, in form of

\* Husband’s Collections, p. 353.

† Rushworth, vol. 2. p. 381, 382.

‡ The zeal shewed for pulling down the crosses gave occasion for the publication of a humorous piece, entitled “A Dialogue betwixt the Cross in Cheap and Charing-cross, comforting each other, as fearing their fall in these uncertain times.” It was also bantered in a pamphlet, with this title, “New orders New, agreed upon by the parliament of Round-heads, confirmed by the brethren of the new separation, assembled at Roundheads’-hall without Cripplegate, with the great discretion of master Long-breath, an upright, new inspired cobbler, speaker of the house. Avowed by Ananias Dulman, alias Prick Ears.” Of the strain of this piece the following passage is a specimen: “that we have no crosses, for they are mere Popery and tend to the confusion and opposition of Scripture: especially let the cross be a detestation unto you all, and let these streets

a cross, and mounted on several steps of stone about the middle of St. Paul's churchyard, where the first reformers used to preach frequently to the people; and upon a farther representation of the assembly of divines, they passed the following ordinance,—“That before the 1st of November all altars and tables of stone shall be utterly taken away and demolished; and all communion-tables removed from the east end of every church, chapel, or place of public worship, and be set in some other fit and convenient place or places of the body of the church or chapel; and all rails whatsoever which have been erected near to, or before, or about, any altar or communion-table, in any of the said churches or chapels, shall before the said day be taken away, and the chancel-ground of every such church, or chapel, or other place of public prayer, which has been within these twenty years raised for any altar or communion-table to stand upon, shall before the said day be laid down and levelled as it was before; and all tapers, candlesticks, and basins, shall before the said day be removed and taken away from the communion-table in every church, chapel, or place of public prayer, and not to be used again afterward. And all crucifixes, crosses, images, and pictures, of any one or more persons of the Trinity, or of the Virgin Mary; and all other images, and pictures of saints, or superstitious inscriptions in or upon any of the said churches, church-yards, or other places belonging to the said churches or church-yards, or in any other open place, shall, before the said 1st of November, be taken away and defaced by the proper officers that have the care of such churches. And it is farther ordained, that the walls, windows, grounds, and other places that shall be broken, impaired, or altered, by any the means aforesaid, shall be made up and repaired in good and sufficient manner, in all and every the said parish-churches, chapels, or places of public prayer belonging to the parish, by the church-wardens for the time being, and in any cathedral or collegiate church or chapel by the deans or sub-deans; and in the inns of court, by the benchers and readers of the same, at the cost and charge of all and every such person or persons, bodies politic, or corporations, to whom the charge of repair does usually belong, upon penalty of 4s. to the use of the poor, for the space of twenty days after such default; and if default be made after December 1, the justice of peace of the county or city shall have power to perform it. Provided that this ordinance shall not extend to any image, picture, or coat of arms, in glass, stone, or otherwise, in any church, chapel, or church-yard, set up by, or engraven for a monument of, any king, prince, nobleman, or other dead person, which has not been commonly reputed or taken for a saint\*.”

that are called Crosses, as Red-Cross-Street, and White-Cross-Street, &c. be turned otherwise and called after the name of some of our own family, as Green, Spencer, &c. and call it rather Green-street, than Red-Cross-street, &c. That thus all profaneness being rooted and extirpated from our conventions, nothing but holiness may remain amongst us.” Dr. Grey, vol. 2, p. 80, 81, note.—Ed.

\* Husband's Collections, fol. 307.



This ordinance is of the same tenor with the bill against innovations, presented to the king at the treaty of Oxford, and does not much differ from queen Elizabeth's injunctions at the Reformation; there were some disorders and tumults in putting it in execution, and great neglect of repairs; but if the reader will look back to the superstitious decorations and ornaments of the cathedrals, mentioned in the former volume of this work, he will see there was some need of a reformation. December 14, the commissioners cleared the cathedral of Canterbury of all the images, and paintings in the windows. Heylin says, the rabble violated the monuments of the dead, spoiled the organs, took down the rails, &c. and affronted the statue of our blessed Saviour\*. December 30, they removed the pictures, images, and crucifixes, in Henry VII.'s chapel; and about Lady-day the paintings about the walls and windows were defaced, and the organs taken down in the presence of the committee of the house. The cathedral of St. Paul's was stripped about the same time, the candlesticks, crucifixes, and plate, being sold for the service of the war; and within a few months most of the cathedrals throughout England underwent the same fate†. If the parliament, instead of leaving this work to the officers of every parish, had put it into the hands of some discreet persons, to give directions what might remain, and what was fit to be removed, all the mischiefs that have been complained of might have been prevented; the monuments of the dead might have remained entire, and a great many fine paintings been preserved. Dr. Heylin charges the officers with sacrilege, and fixes the divine vengeance upon them as a terror to others, one of them being killed in pulling down the cross in Cheapside, and another hanged soon after he had pulled down the rich cross in Abingdon. But without remarking on the doctor's prognostications, it might be very proper to remove these images and crosses, because of the superstitious resort of great numbers of people to them; though it ought to have been done in a peaceable manner, without any damage to the truly venerable remains of antiquity.

The paper combat between the two parties at Oxford and London, was carried on with no less fury than the war itself; numberless pamphlets were scattered up and down the kingdom, big with disaffection and scandal against the two houses; to put a stop to which, the commons, by an order of March 6, 1642—3, had empowered the committee of examinations to search for printing-presses, in such places where they had cause to suspect they were employed against the parliament, and to break them in pieces, and destroy the materials. They were also to seize the pamphlets, and to commit the printer and vender to prison. But this order not

\* Hist. Presbytery, p. 450.

† Dr. Grey gives various examples of the rude violence and indiscriminate destruction with which it was done. His authorities are, bishop Hall, Heylin, Dugdale, and Scriverius Rusticus.—ED.

being effectual, another was published June 14, 1643, the preamble to which sets forth, "that the former orders of parliament to prevent the printing and dispersing scandalous pamphlets having been ineffectual, it is ordained, that no person or persons shall print any book or pamphlet without licence under the hands of such persons as shall be appointed by parliament, nor shall any book be reprinted without the licence and consent of the owner, and the printer to put his name to it; the company of stationers and the committee of examinations, are required to make strict inquiry after private presses, and to search all suspected shops and warehouses for unlicensed books and pamphlets, and to commit the offenders against this order to prison, to be punished as the parliament shall direct\*." The names of the licensers appointed by this ordinance were these:—

*For books of divinity.*

The Rev. Mr. Thomas Gataker.	The Rev. Mr. Carter of Yorkshire.
The Rev. Mr. J. Downham.	The Rev. Mr. Charles Herle.
The Rev. Mr. Callicut Downing.	The Rev. Mr. James Crauford.
The Rev. Dr. Thomas Temple.	The Rev. Mr. Obadiah Sedgwick.
The Rev. Mr. Joseph Caryl.	The Rev. Mr. Batchelor.
The Rev. Mr. Edmund Calamy.	The Rev. Mr. John Ellis, jun.

*For law-books.*

Sir John Brampton.	Mr. Serj. Phesant.
Mr. Serj. Rolls.	Mr. Serj. Jermyn.

*For physic and surgery.*—The president and four censors of the college of physicians, for the time being.

*For civil and canon law.*—Sir Nath. Brent, or any three doctors of the civil law.

*For heraldry, titles of honour, and arms.*—One of the three kings at arms.

*For philosophy, history, poetry, morality, and arts.*—Sir Nath. Brent, Mr. Langley, and Mr. Farnaby, schoolmasters of St. Paul's.

*For small pamphlets, pictures, &c.*—The clerk of the company of stationers for the time being; and

*For mathematics, almanacks, and prognostications.*—The reader of, Gresham-college for the time being.

But neither this nor any other regulation of the press, could restrain the Oxonians from dispersing their mercuries and diurnals over the whole kingdom, as long as the university was in the king's hands.

## CHAPTER II.

### FROM THE CALLING THE ASSEMBLY OF DIVINES AT WESTMINSTER TO THE OXFORD PARLIAMENT.

It has been observed, that at the setting down of this parliament, the resolution of the leading members was to remove the grievances of the church as well as state, and for this purpose to address the king to call an assembly of divines to reform the

\* Rushworth, vol. 5. p. 335.



liturgy and discipline. To forward this design the London ministers, in their petitions in the year 1641, prayed the houses to be mediators to his majesty for a free synod, and the commons accordingly mentioned it in their grand remonstrance of December 1, 1641. "We desire (say they) that there may be a general synod of the most grave, pious, learned, and judicious divines of this island, assisted with some from foreign parts professing the same religion with us, who may consider of all things necessary for the peace and good government of the church, and to represent the result of their consultations to be allowed and confirmed, and to receive the stamp of authority." In the treaty of Oxford a bill was presented to the same purpose and rejected: some time after Dr. Burges, at the head of the Puritan clergy, applied again to parliament, but the houses were unwilling to take this step without the king's concurrence, till they were reduced to the necessity of calling in the Scots, who insisted, that "there should be a uniformity of doctrine and discipline between the two nations." To make way for which the houses turned their bill into an ordinance, and convened the assembly by their own authority\*.

43 The ordinance bears date June 12, 1643, and is the very same with the Oxford bill, except in the point of lay-assessors, and of restraining the assembly from exercising any jurisdiction or authority ecclesiastical whatsoever. It is entitled,

"An ordinance of the lords and commons in parliament, for the calling of an assembly of learned and godly divines, and others, to be consulted with by the parliament, for settling the government and liturgy of the church of England, and for vindicating and clearing of the doctrine of the said church, from false aspersions and interpretations†."

The preamble sets forth,

"That whereas amongst the infinite blessings of Almighty God upon this nation, none is or can be more dear to us than the purity of our religion; and forasmuch as many things as yet remain in the discipline, liturgy, and government, of the church, which necessarily require a more perfect reformation. And whereas it has been declared and resolved, by the lords and commons assembled in parliament, that the present church-government by archbishops, bishops, their chancellors, commissaries, deans, deans and chapters, archdeacons, and other ecclesiastical officers depending on the hierarchy, is evil, and justly offensive and burdensome to the kingdom, and a great impediment to reformation, and growth of religion, and very prejudicial to the

\* It is a just remark of Mr. Palmer, that the assembly of divines at Westminster, was not a convocation according to the diocesan way of government, nor was it called by the votes of the ministers according to the presbyterian way; but the parliament chose all the members themselves, merely with a view to have their opinion and advice for settling the government, liturgy, and doctrine, of the church of England. And they were confined in their debates to such things as the parliament proposed. Nonconformists' Memorial, vol. 1. introduction, p. 7.—ED.

† Rushworth, vol. 2. part 3. or vol. 5. p. 337.

state and government of this kingdom, that therefore they are resolved, the same shall be taken away, and that such a government shall be settled in the church as may be agreeable to God's holy word, and most apt to procure and preserve the peace of the church at home, and nearer agreement with the church of Scotland, and other reformed churches abroad. And for the better effecting hereof, and for the vindicating and clearing of the doctrine of the church of England from all false calumnies and aspersions, it is thought fit to call an assembly of learned, godly, and judicious divines, to consult and advise of such matters and things touching the premises, as shall be proposed to them by both, or either houses of parliament; and to give their advice and counsel therein to both, or either of the said houses, when and as often as they shall be thereunto required.

“Be it therefore ordained by the lords and commons in this present parliament assembled, that all and every the persons hereafter in this ordinance named [the ordinance here names the persons], and such other persons as shall be nominated by both houses of parliament, or so many of them as shall not be letted by sickness, or other necessary impediment, shall meet and assemble, and are hereby required and enjoined upon summons signed by the clerks of both houses of parliament left at their several respective dwellings, to meet and assemble at Westminster, in the chapel called King Henry the Seventh's chapel, on the first of July 1643, and after the first meeting, being at least of the number of forty, shall from time to time sit, and be removed from place to place; and also, that the said assembly shall be dissolved in such manner as by both houses of parliament shall be directed. And the said assembly shall have power and authority, and are hereby enjoined from time to time, during this present parliament, or till farther order be taken by both the said houses, to confer and treat among themselves of such matters and things concerning the liturgy, discipline, and government, of the church of England, or the vindicating and clearing of the doctrine of the same from all false aspersions and misconstructions, as shall be proposed by either or both houses of parliament, and no other; and to deliver their advices and opinions touching the matters aforesaid, as shall be most agreeable to the word of God, to both or either houses from time to time, in such manner as shall be required, and not to divulge the same by printing, writing, or otherwise, without consent of parliament.”

If any difference of opinion arose, they were to represent it to parliament with their reasons, that the houses might give farther direction. Four shillings per day were allowed for each one during his attendance. Dr. William Twisse of Newbury was appointed prolocutor, and in case of his sickness or death the parliament reserved to themselves the choice of another. The ordinance concludes with the following proviso: “Provided alway, that this ordinance shall not give them, nor shall they in



this assembly assume or exercise, any jurisdiction, power, or authority ecclesiastical, whatsoever, or any other power than is herein particularly expressed."

Then follow the names of thirty lay-assessors, viz. ten lords, and twenty commoners, and one hundred and twenty-one divines.

N. B. The lay-assessors had an equal liberty of debating and voting with the divines, and were these ;

*Peers.*

Algernon earl of Northumberland.  
William earl of Bedford.  
William earl of Pembroke and Montgomerie.  
William earl of Salisbury.  
Henry earl of Holland.  
Edward earl of Manchester.  
William lord viscount Say and Seal.  
Edward lord viscount Conway.  
Philip lord Wharton.  
Edward lord Howard of Escrick.

*Commoners.*

John Selden, esq.  
Francis Rouse, esq.  
Edmund Prideaux, esq.  
Sir Henry Vane, knight senior.  
Sir Henry Vane, knight junior.  
John Glynne, esq. recorder of London.  
John White, esq.  
Bulstrode Whitelocke, esq.

Humphry Salway, esq.  
Oliver St. John, esq.  
Sir Benjamin Rudyard, knight.  
John Pym, esq.  
Sir John Clotworthy, knight.  
Sir Thomas Barrington, knight.  
William Wheeler, esq.  
William Pierpoint, esq.  
Sir John Evelyn, knight.  
John Maynard, esq.  
Mr. Serjeant Wild.  
Mr. Young.  
Sir Matthew Hale, afterward lord-chief-justice of the King's Bench [appeared, says Anthony Wood, among the lay-assessors].

*Lay-assessors from Scotland.*

Lord Maitland, afterward duke Lauderdale.  
Earl Lothian.  
A. Johnston, called Warriston.

The divines were chosen out of such lists as the knights and burgesses brought in, of persons best qualified in their several counties, out of which the parliament agreed upon two ; though according to Dr. Calamy some counties had only one.

A list of the assembly of divines at Westminster, in alphabetical order :—

Those with \*\* gave constant attendance ; those with one \* sat in the assembly and took the protestation, but withdrew, or seldom appeared ; those with no star did not appear at all.

To supply the vacancies that happened by death, secession, or otherwise, the parliament named others from time to time, who were called superadded divines.

\*\* The reverend Dr. WILLIAM TWISSE, of Newbury, was appointed by parliament, prolocutor.

\*\* The reverend Dr. Cornelius Burges of Watford, Mr. John White of Dorchester, A.M. *assessors.*

\* The reverend Mr. Henry Roborough, Mr. Adoniram Byfield, A.M. *scribes*, but had no votes.

\*\* The Rev. John Arrowsmith, of Lynn, afterward D.D. and master of Peterhouse, Cambridge.

\*\* Mr. Simeon Ash, of St. Bride's, or Basingshaw.

\*\* Mr. Theodore Backhurst, of Overton Waterville.

\*\* Mr. Thomas Bayly, B.D. of Manningford-Bruce.

\*\* Mr. John Bond, a superadded divine.

\* Mr. Boulton, superadded.

\*\* M. Oliver Bowler, B.D. of Sutton.

\*\* Mr. William Bridge, A.M. of Yarmouth.

The right reverend Dr. Ralph Brownrigge, bishop of Exon.

Mr. Richard Buckley.

\*\* Mr. Antony Burges, A.M. of Sutton-Colefield.

\*\* Mr. Jeremiah Burroughs, A.M, of Stepney.



- \*\* Mr. Richard Byfield, A.M. superadded.
- \*\* Edmund Calamy, B.D. Aldermanbury.
- \*\* Mr. Thomas Case, Milk-street.
- \*\* Mr. Richard Capel, of Pitchcombe, A.M.
- \*\* Mr. Joseph Caryl, A.M. Lincoln's-inn.
- \*\* Mr. William Carter, of London.
- \*\* Mr. Thomas Carter, of Oxon.
- \*\* Mr. William Carter, of Dynton, Bucks.
- \*\* Mr. John Cawdrey, A.M. St. Martin's Fields.
- \*\* Humphrey Chambers, D.D. of Claverton.
- \*\* Francis Cheynel, D.D. of Petworth.
- \*\* Mr. Peter Clarke, A.M. of Carnaby.
- \*\* Mr. Richard Clayton, of Showel.
- \*\* Mr. Francis Coke, of Yoxhall.
- \*\* Mr. Thomas Coleman, A.M. of Bliton.
- \*\* John Conant, of Lymington, D.D. afterward archdeacon of Norwich, and prebendary of Worcester.
- \*\* Mr. Edward Corbet, A.M. Merton-college, Oxon.
- \*\* Robert Crosse, D.D. afterward Vicar of Chew, Somerset.
- \*\* Mr. Philip Delme, superadded.
- \*\* Mr. Thomas Dillingham, of Dean.
- \*\* Calibute Downing, D.D. of Hackney.
- \*\* Mr. William Dunning, of Godalston.
- \*\* The reverend Mr. John Drury, superadded.
- \*\* Mr. Edward Ellis, B.D. Gilfield.
- \*\* Mr. John Erle, of Bishopstone.
- \*\* Daniel Featley, D.D. of Lambeth.
- \*\* Mr. Thomas Ford, A.M. superadded.
- \*\* Mr. John Foxcroft, of Gotham.
- \*\* Mr. Hamilton Gammon, A.M. of Cornwall.
- \*\* Thomas Gataker, B.D. Rotherhithe.
- \*\* Mr. Samuel Gibson, of Burleigh.
- \*\* Mr. John Gibbon, of Waltham.
- \*\* Mr. George Gippes, of Aylston.
- \*\* Thomas Goodwin, D.D. of London, afterward president of Magdalen-college, Oxon.
- \*\* Mr. William Goad, superadded.
- \*\* Mr. Stanley Gower, of Brampton-Bryan.
- \*\* William Gouge, D.D. of Blackfriars.
- \*\* Mr. William Greenhill, of Stepney.
- \*\* Mr. Green, of Pentecomb.
- \*\* John Hacket, D.D. of St. Andrew's, Holborn, afterward bishop of Litchfield.
- \*\* Henry Hammond, D.D. of Penshurst, Kent.
- \*\* Mr. Henry Hall, B.D. Norwich.
- \*\* Mr. Humphrey Hardwicke, superadded.
- \* John Harris, D.D. prebendary of Winchester, warden of Wickham.
- \*\* Robert Harris, D.D. of Hanwell, president of Trinity-college, Oxon.
- \*\* Mr. Charles Herle, A.M. Winwick, afterward prolocutor.
- \*\* Mr. Richard Heyrick, A.M. of Manchester.
- \*\* Thomas Hill, D.D. of Tichmarsh, afterward master of Trinity-college, Cambridge.
- \* Samuel Hildersham, B.D. of Felton.
- \*\* Mr. Jasper Hickes, A.M. of Lawrick.
- \*\* Mr. Thomas Hodges, B.D. of Kensington.
- \* Richard Holdsworth, D.D. master of Emanuel-college, Cambridge.
- \*\* Joshua Hoyle, D.D. of Dublin, Ireland.
- \* Mr. Henry Hutton.
- \*\* Mr. John Jackson, A.M. of Queen's college, Cambridge.
- \* Mr. Johnson.
- \* Mr. Lance, Harrow, Middlesex.
- \*\* Mr. John Langley, of West Tudrley, prebendary, Gloucester.
- \*\* Mr. John Ley, A.M. Great Budworth.
- \*\* The reverend John Lightfoot, D.D. of Ashby, master of Catharine-house.
- \* Richard Love, D.D. of Ekinton.
- \* Mr. Christopher Love, A.M. superadded.
- \* Mr. William Lyford, A.M. Sherbourne.
- \* Mr. John de la March, minister of the French church.
- \*\* Mr. Stephen Marshal, B.D. of Finch-  
ingfield.
- \* Mr. William Massam, superadded.
- \* Mr. John Maynard, A.M. superadded.
- \*\* Mr. William Mew, B.D. of Essington.
- \*\* Mr. Thomas Micklethwait, Cheri-  
burton.
- \* George Morley, D.D. afterward bi-  
shop of Winchester.
- \* Mr. William Moreton, Newcastle.
- \* Mr. Moore.
- \*\* Mr. Matthew Newcomen, Dedham.
- \*\* Mr. William Newscore, superadded.
- \* William Nicholson, D.D. afterward  
bishop of Gloucester.
- \* Mr. Henry Nye, of Clapham.
- \*\* Mr. Philip Nye, of Kimbolton.
- \* Mr. Herbert Palmer, B.D. Ashwell,  
afterward assessor.
- \* Mr. Henry Painter, of Exeter.
- \* Mr. Christopher Parkly, of Hawar-  
den.
- \*\* Mr. Edward Peal, of Compton.
- \*\* Mr. Andrew Pern, of Wilby, North-  
ampton.



- \*\* Mr. John Philips, Wrentham.
- \*\* Mr. Benjamin Pickering, East-  
Hoatly.
- \*\* Mr. Samuel de la Place, minister of  
the French church.
- \*\* Mr. William Price, of St. Paul's Co-  
vent-Garden.
- \*\* John Prideaux, D.D. bishop of Wor-  
cester.
- \*\* Nicholas Proffet, of Marlborough.
- \*\* Mr. John Pyne, of Bereferrars.
- \*\* Mr. William Rathband, of Highgate.
- \*\* Mr. William Reyner, B.D. Egham.
- \*\* Edward Reynolds, of Brampton,  
D.D. afterward bishop of Norwich.
- \*\* Mr. Arthur Salway, Severn Stoke.
- \*\* Robert Saunderson, D.D. afterward  
bishop of Lincoln.
- \*\* Mr. Henry Scudder, of Colingbourne.
- \*\* Lazarus Seaman, B.D. of London,  
master of Peterhouse, Cambridge.
- \*\* Mr. Obadiah Sedgwick, B.D. Cog-  
geshall.
- \*\* Mr. Josias Shute, B.D. Lombard-  
street.
- \*\* The reverend Mr. Sydrach Sympson,  
London.
- \*\* Peter Smith, D.D. of Barkway.
- \*\* William Spurstow, D.D. of Hamp-  
den.
- \*\* Edmund Staunton, D.D. of Kingston.
- \*\* Mr. Peter Sterry, London.
- \*\* Mr. John Strickland, B.D. New Sa-  
rum, superadded.
- \*\* Matthew Styles, D.D. Eastcheap.
- \*\* Mr. Strong, Westminster, super-  
added.
- \*\* Mr. Francis Taylor, A.M. Yalding.
- \*\* Thomas Temple, D.D. of Battersey.
- \*\* Mr. Thomas Thoroughgood, Mas-  
singham.
- \*\* Mr. Christopher Tisdale, Uphurst-  
bourne.
- Mr. Henry Tozer, B.D. Oxon.
- \*\* Anthony Tuckney, D.D. of Boston,  
afterward master of St. John's col-  
lege, Oxon, and Regius professor.
- \*\* Mr. Thomas Valentine, B.D. Chal-  
fort, Saint Giles's.
- \*\* Mr. Rich. Vines, A.M. of Calcot,  
master of Pembroke-house, Cam-  
bridge.
- The most reverend Dr. James Usher,  
archbishop of Armagh.
- \*\* Mr. George Walker, B.D. St. John  
the Evangelist.
- Samuel Ward, D.D. master of Sid-  
ney-college, Cambridge.
- \*\* Mr. John Wallis, afterward D.D.  
and scribe.
- \*\* Mr. John Ward, superadded.
- Mr. James Welby, Sylatten.
- \*\* Thomas Westfield, D.D. bishop of  
Bristol.
- \*\* Mr. Jeremiah Whitaker, A.M.  
Stretton.
- Mr. Francis Whiddon, Moreton.
- \*\* Henry Wilkinson, senior, D.D.  
Waddeson, afterward Margaret pro-  
fessor, Oxon.
- \*\* Mr. Henry Wilkinson, junior, B.D.  
St. Dunstan's.
- \*\* Mr. Thomas Wilson, Otham.
- \*\* Thomas Wincop, D.D. Elesworth.
- \*\* John Wincop, D.D. St. Martin's in  
the Fields.
- \*\* Mr. Francis Woodcock, proctor of  
the University of Cambridge.
- \*\* Mr. Thomas Young, Stow-market.

*Ministers from Scotland.*

- \*\* Mr. Alexander Henderson.
- \*\* Mr. George Gillespie.
- \*\* Mr. Samuel Rutherford.
- \*\* Mr. Robert Bayly.

Before the assembly sat, the king, by his royal proclamation of June 22, forbade their meeting for the purposes therein mentioned; and declared, that no acts done by them ought to be received by his subjects: he also threatened to proceed against them with the utmost severity of the law\*; nevertheless, sixty-nine assembled in king Henry the Seventh's chapel the first day, according to summons, not in their canonical habits, but chiefly in black coats and bands in imitation of the foreign Protestants. Few of the episcopal divines appeared, and those who did, after some time, withdrew for the following reasons.

Obj. 1. "Because the assembly was prohibited by the royal proclamation; which Dr. Twisse, in his sermon at the opening the assembly, lamented, but hoped in due time his majesty's consent might be obtained."

\* Dr. Grey refers to the 25th of Henry VIII. cap. 19, or the act of submission of the clergy, to prove this assembly illegal.—ED.

Ans. To which it was replied, "That the constitution at present was dissolved; that there were two sovereign contending powers in the nation; and if the war in which the parliament was engaged was just and necessary, they might assume this branch of the prerogative, till the nation was settled, as well as any other."

Obj. 2. "Because the members of the assembly were not chosen by the clergy, and therefore could not appear as their representatives."

Ans. To which it was answered, "That the assembly was not designed for a national synod, or representative body of the clergy, but only as a committee, or council to the parliament, to give their opinion touching such church-matters as the houses should lay before them; they had no power of themselves to make laws or canons, or determine controversies in matters of faith. They were to enter upon no business but what the parliament appointed, and when they had done they were to offer it to the two houses only as their humble advice: and surely the parliament might choose their own council, without being obliged to depend upon the nomination of the clergy."

Obj. 3. "But as great an exception as any, was their dislike of the company, and of the business they were to transact; there was a mixture of laity with the clergy; the divines were for the most part of a Puritanical stamp, and enemies to the hierarchy: and their business (they apprehended) was to pull down that which they would uphold."

Ans. "This being not designed for a legal convocation, but for a council to the parliament in the reformation of the church, they apprehended they had a power to join some of their own members with such a committee or council, without intrenching upon the rights of convocation.—The divines, except the Scots and French, were in episcopal orders, educated in our own universities, and most of them graduates; their business was only to advise about such points of doctrine and church-discipline as should be laid before them, in which the episcopal divines might have been of service, if they had continued with the assembly, to which they were most earnestly invited."

I believe no set of clergy since the beginning of Christianity have suffered so much in their characters and reputations\*, as these, for their advices to the two houses of parliament. In his majesty's proclamation of June 22, the far greater part of them are said to be men of no learning or reputation. Lord Clarendon admits †, "about twenty of them were reverend and worthy persons, and episcopal in their judgments; but as to the remainder, they were but pretenders to divinity; some were infamous in their lives and conversations, and most of them of very mean parts and

\* "And no set of clergy (says Dr. Grey) ever deserved it more:" and to shew this, he quotes a virulent invective against them by Gregory Williams, bishop of Ossory.—Ed.

† Clarendon, vol. 1. p. 530.



learning, if not of scandalous ignorance, and of no other reputation than of malice to the church of England." His lordship would insinuate, that they understood not the original text, because the learned Mr. Selden sometimes corrected the English translation of their little pocket Bibles, and put them into confusion, by his uncommon acquaintance with Jewish antiquities; as if that great man would have treated a convocation with more decency or respect\*. But archbishop Laud's account is still more extravagant; for though it is notorious the assembly would not allow a toleration to those whom they called sectaries, yet his grace says, "the greatest part of them were Brownists or Independents, or New-England ministers, if not worse, or at best enemies to the doctrine and discipline of the church of England;" whereas in truth there was not above six Independents in the assembly, and not one New-England minister that I know of. If the reader will carefully peruse the list, he will find in it some of the most considerable lawyers and ablest divines of the last age; and though they might have mistaken notions of church-discipline, and were no better acquainted with the rights of conscience and private judgment, than their predecessors the bishops, yet with all their faults, impartial posterity must acknowledge the far greater number were men of exemplary piety and devotion, who had a real zeal for the glory of God, and the purity of the Christian faith and practice. Mr. Echard confesses, that lord Clarendon had perhaps with too much severity said, that some of these divines were infamous in their lives and characters; but Mr. Baxter, who was better acquainted with them than his lordship, or any of his followers, affirms, "that they were men of eminent learning, godliness, ministerial abilities, and fidelity."

43 The assembly was opened on Saturday July 1, 1643, with a sermon preached by Dr. Twisse in king Henry VII.'s chapel, both houses of parliament being present. The ordinance for their convention was then read, and the names of the members called over, after which they adjourned to Monday, and agreed on the following rules:

\* Bishop Warburton has no doubt but Mr. Selden would have treated a convocation with more decency and respect. For his lordship adds, "he had infinitely more esteem for the learning of the episcopal clergy, though, perhaps, no more love for their persons." In what estimation Mr. Selden held the learning of the episcopal clergy, has been shewn vol. 2. p. 128, note. With what respect he was likely to speak of a convocation, the reader will judge from the following passage, in his Table Talk, p. 37, in the edition of 1777, under the word clergy. "The clergy and laity together are (says he) never like to do well; it is as if a man were to make an excellent feast, and should have his apothecary and his physician come into the kitchen: the cooks, if they were let alone, would make excellent meat, but then comes the apothecary, and he puts rhubarb into one sauce, and agaric into another sauce. Chain up the clergy on both sides." That he had no high opinion of the power and authority of a convocation, may be concluded from his comparing it to "a court-leet, where they have a power to make by-laws as they call them; as that a man shall put so many cows or sheep in the common; but they can make nothing that is contrary to the laws of the kingdom." Under the word convocation, p. 45.—ED.

(1.) "That every session begin and end with a prayer.

(2.) "That after the first prayer, the names of the assembly be called over, and those that are absent marked; but if any member comes in afterward, he shall have liberty to give in his name to the scribes.

(3.) "That every member before his admission to sit and vote, do take the following vow or protestation:

"I, A.B., do seriously and solemnly, in the presence of Almighty God, declare that, in this assembly whereof I am a member, I will not maintain any thing in matter of doctrine but what I believe in my conscience to be most agreable to the word of God; or in point of discipline, but what I shall conceive to conduce most to the glory of God, and the good and peace of his church."

And to refresh their memories this protestation was read in the assembly every Monday morning.

(4.) "That the appointed hour of meeting be ten in the morning; the afternoon to be reserved for committees.

(5.) "That three of the members of the assembly be appointed weekly as chaplains, one to the house of lords, another to the house of commons, and a third to the committee of both kingdoms." The usual method was to take it by turns, and every Friday the chaplains were appointed for the following week.

(6.) "That all the members of the assembly have liberty to be covered, except the scribes;" who some time after had also this liberty indulged them.

Besides these, the parliament on the Thursday following sent them some farther regulations. As,

(1.) "That two assessors be joined with the prolocutor, to supply his place in case of absence or sickness, viz. Dr. Cornelius Burges, and the reverend Mr. John White of Dorchester.

(2.) "That scribes be appointed, who are not to vote in the assembly, viz. the reverend Mr. Roborough and Mr. Byfield.

(3.) "That every member at his first entrance into the assembly take the fore-mentioned protestation.

(4.) "That no resolution be given upon any question the same day wherein it was first proposed.

(5.) "What any man undertakes to prove as a necessary truth in religion, he shall make good from the Holy Scriptures.

(6.) "No man shall proceed in any dispute, after the prolocutor has enjoined him silence, unless the assembly desire he may go on.

(7.) "No man shall be denied the liberty of entering his dissent from the assembly, with his reasons for it, after the point has been debated; from whence it shall be transmitted to parliament, when either house shall require it.

(8.) "All things agreed upon and prepared for the parliament, shall be openly read, and allowed in the assembly, and then offered as their judgment, if the majority assent; provided, that the opinions of the persons dissenting, with their reasons, be annexed, if they desire it, and the solution of those reasons by the assembly."



The proceedings being thus settled, the parliament sent the assembly an order to review the thirty-nine articles of the church; but before they entered upon business, viz. July 7, they petitioned the two houses for a fast, on a day when the Rev. Mr. Bowles and Matthew Newcomen preached before them. Upon which petition bishop Kennet passes the following severe censure, "Impartially speaking, it is stuffed with schism, sedition, and cruelty:" I will therefore set the substance of the petition before the reader in their own language, that he may form his own judgment upon it, and upon the state of the nation.

"To the right honourable the lords and commons assembled in parliament,—The humble petition of divers ministers of Christ, in the name of themselves, and sundry others, humbly sheweth,—

"That your petitioners, upon serious consideration, and deep sense of God's heavy wrath lying upon us, and hanging over our heads, and the whole nation, manifested particularly by the two late sad and unexpected defeats of our forces in the north and in the west, do apprehend it to be our duty, as watchmen for the good of the church and kingdom, to present to your religious and prudent consideration these ensuing requests, in the name of Jesus Christ, your Lord and ours.

First, "That you will be pleased to command a public and extraordinary day of humiliation this week, throughout the cities of London, Westminster, the suburbs of both, and places adjacent within the weekly bills of mortality, that every one may bitterly bewail his own sins, and cry mightily to God, for Christ's sake, to remove his wrath, and to heal the land; with professedly new resolution of more full performance of the late covenant, for the amendment of our ways.

Secondly, "That you would vouchsafe instantly to take into your most serious consideration, how you may more speedily set up Christ more gloriously in all his ordinances within this kingdom, and reform all things amiss throughout the land, wherein God is more specially and more immediately dishonoured, among which we humbly lay before you these particulars:—

1. "That the brutish ignorance and palpable darkness possessing the greatest part of the people in all places of the kingdom, may be remedied, by a speedy and strict charge to all ministers constantly to catechise all the youth and ignorant people within their parishes.

2. "That the grievous and heinous pollution of the Lord's supper, by those who are grossly ignorant, and notoriously profane, may be henceforth, with all Christian care and due circumspection, prevented.

3. "That the bold venting of corrupt doctrines, directly contrary to the sacred law of God, may be speedily suppressed.

4. "That the profanation of any part of the Lord's day, and the days of solemn fasting, by buying, selling, working, sporting, travelling, or neglecting of God's ordinances, may be remedied, by

appointing special officers in every place for the due execution of all good laws and ordinances against the same.

5. "That there may be a thorough and speedy proceeding against blind guides, and scandalous ministers; and that your wisdom would find out some way to admit into the ministry such godly and hopeful men as have prepared themselves, and are willing thereunto, without which there will suddenly be such a scarcity of able and faithful ministers, that it will be to little purpose to cast out such as are unable, idle, or scandalous.

6. "That the laws may be quickened against swearing and drunkenness, with which the land is filled and defiled, and under which it mourns.

7. "That some severe course be taken against fornication, adultery, and incest, which do greatly abound.

8. "That all monuments of idolatry and superstition, but more especially the whole body and practice of Popery, may be totally abolished.

9. "That justice may be executed on all delinquents, according to your religious vow and protestation to that purpose.

10. "That all possible means may be used for the speedy relief and release of our miserable and extremely distressed brethren, who are prisoners in Oxford, York, and elsewhere, whose heavy sufferings cry aloud in the ears of our God; and it would lie very heavy on the kingdom should they miscarry, suffering as they do for the cause of God.

"That so God, who is now by the sword avenging the quarrel of his covenant, beholding your integrity and zeal, may turn from the fierceness of his wrath, hear our prayers, go forth with our armies, perfect the work of reformation, forgive our sins, and settle truth and peace throughout the kingdom.

"And your petitioners shall ever pray, &c.\*"

Pursuant to this petition, Friday July 21<sup>†</sup> was appointed for a fast, when the reverend Mr. Hill, Mr. Spurstow, and Mr. Vines, preached before both houses of parliament and the assembly together; and the fast was observed with great solemnity in all the churches within the limits above-mentioned.

Next day a committee of divines was appointed to consider what amendments were proper to be made in the doctrinal articles of the church of England, and report them to the assembly, who were ten weeks in debating upon the first fifteen, before the arrival of the Scots commissioners; the design was to render their sense more express and determinate in favour of Calvinism. It is not necessary to trouble the reader with the theological debates; but the articles, as they were new modelled, being rarely to be met with, I have placed them in the appendix, with the original articles

\* Rushworth, vol. 5. p. 344.

† "July 7 (Dr. Grey says) was the day on which Mr. Bowles and Newcomen preached."—ED.



of the church, in opposite columns, that the reader, by comparing them, may judge whether the alterations are real improvements\*.

As the assembly were for strengthening the doctrines of the church against Arminianism, they were equally solicitous to guard against the opposite extreme of Antinomianism, for which purpose they appointed a committee to peruse the writings of Dr. Crisp, Eaton, Saltmarsh, and others; who having drawn out some of their most dangerous positions, reported them to the assembly, where they were not only condemned, but confuted in their public sermons and writings.

At this time the interest of the parliament was so reduced, they were obliged to call in the assistance of the Scots. The conservators of the peace of that kingdom had appointed a convention of the states June 22, under pretence of securing their country against the power of the royal army in the north†: and a general assembly, August 2, to consider the state of religion. His majesty would have prevented their meeting, but that being impracticable, he gave orders to limit their consultations to the concerns of their own country; but the parliament of England sent the earl of Rutland, Sir William Armin, Sir H. Vane, Mr. Hatcher, Mr. Darley, and two divines from Westminster, viz. Mr. Marshal and Mr. Nye, with letters to each of these assemblies, desiring their assistance in the war, and the assistance of some of their divines with those at Westminster, to settle a uniformity of religion and church-government between the two nations. To enforce these requests they delivered a letter from the assembly, "setting forth the deplorable condition of the kingdom of England, which was upon the edge of a most desperate precipice, ready to be swallowed up by Satan and his instruments; they represent the cruelty of their enemies against such as fall into their hands, being armed against them, not only as men, but as Christians, as Protestants, and as reformers, and that if they should be given up to their rage, they fear it will endanger the safety of all the Protestant churches. In a deeper sense of this danger (say they) than we can express, we address you in the bowels of Christ, for your most fervent prayers and advice, what farther to do for the making our own and the kingdom's peace with God, and for the uniting the Protestant party more firmly, that we may all serve God with one consent, and stand up against antichrist as one man‡."

The commissioners arrived at Edinburgh August 9, and were favourably received by the assembly, who proposed as a preliminary, that the two nations should enter into a perpetual covenant

\* Appendix, No. 7.

† Yet these conservators issued out, in the king's name, a proclamation for all persons, from sixteen to sixty years old, to appear in arms. "At which (says Rushworth) the king was much incensed."—Dr. Grey. Who will not own, that he had great reason to resent his name being used against himself?—Ed.

‡ Rushworth, vol. 5. p. 463. 466. 469.

for themselves and their posterity, that all things might be done in God's house according to his will; and having appointed some of their number to consult with the English commissioners about a proper form, they chose delegates for the Westminster-assembly, and unanimously advised the convention of states to assist the parliament in the war, for the following reasons:—

1. "Because they apprehend the war was for religion. 2. Because the Protestant faith was in danger. 3. Gratitude for former assistances at the time of the Scots reformation, required a suitable return. 4. Because the churches of Scotland and England being embarked in one bottom, if one be ruined the other cannot subsist. 5. The prospect of uniformity between the two kingdoms in discipline and worship, will strengthen the Protestant interest at home and abroad. 6. The present parliament had been friendly to the Scots, and might be so again. 7. Though the king had so lately established their religion according to their desires, yet they could not confide in his royal declarations, having so often found *facta verbis contraria*.\*"

The instructions of the commissioners, sent to the assembly at Westminster, were to promote the extirpation of Popery, prelacy, heresy, schism, scepticism, and idolatry, and to endeavour a union between the two kingdoms in one confession of faith, one form of church-government, and one directory of worship.

The committee for drawing up the solemn league and covenant delivered it into the assembly August 17, where it was read and highly applauded by the ministers and lay-elders, none opposing it except the king's commissioners; so that it passed both the assembly and convention in one day†, and was despatched next morning to Westminster, with a letter to the two houses, wishing that it might be confirmed, and solemnly sworn and subscribed in both kingdoms, as the surest and strictest obligation to make them stand and fall together in the cause of religion and liberty.

Mr. Marshal and Nye, in the letter to the assembly of August 18, assure their brethren, the Scots clergy were entirely on the side of the parliament in this quarrel, against the Popish and episcopal faction; that there were between twenty and thirty of the prime nobility present, when the covenant passed the convention; and that even the king's commissioners confessed, that in their private capacity they were for it, though as his majesty's commissioners they were bound to oppose it. So that if the English parliament (say they) comply with the form of this cove-

\* Rushworth, vol. 5. p. 472, &c.

† "Wise observers (bishop Burnet adds) wondered to see a matter of that importance carried through upon so little deliberation or debate. It was thought strange to see all their consciences of such a size, so exactly to agree as the several wheels of a clock; which made all apprehend, there was some first mover that directed all those other motions: this by the one party was imputed to God's extraordinary providence, but by others to the power and policy of the leaders and the simplicity and fear of the rest." *Memoirs of the Duke of Hamilton*, p. 239. —ED.



nant, we are persuaded the whole body of the Scots kingdom will live and die with them, and speedily come to their assistance.

When their commissioners arrived at London, they presented the covenant to the two houses, who referred it to the assembly of divines, where it met with some little opposition: Dr. Featly declared, he durst not abjure prelacy absolutely, because he had sworn to obey his bishop in all things lawful and honest, and therefore proposed to qualify the second article thus,—“I will endeavour the extirpation of Popery, and all antichristian, tyrannical, or independent prelacy;” but it was carried against him. Dr. Burges objected to several articles, and was not without some difficulty persuaded to subscribe, after he had been suspended. The prolocutor Mr. Gataker, and many others, declared for primitive episcopacy, or for one stated president with his presbyters to govern every church; and refused to subscribe till a parenthesis was inserted, declaring what sort of prelacy was to be abjured, viz. “[church-government by archbishops, bishops, deans and chapters, archdeacons, and all other ecclesiastical officers depending upon them.]”<sup>\*</sup> The Scots, who had been introduced into the assembly September 15, were for abjuring episcopacy as simply unlawful, but the English divines were generally against it.

Bishop Burnet says, our commissioners pressed chiefly for a civil league, but the Scots would have a religious one, to which the English were obliged to yield, taking care, at the same time, to leave a door open for a latitude of interpretation†. Sir Henry Vane put the word “league” into the title, as thinking that might be broken sooner than a covenant; and in the first article he inserted that general phrase, of reforming “according to the word of God;” by which the English thought themselves secure from the inroads of presbytery; but the Scots relied upon the next words, “and according to the practice of the best reformed churches;” in which they were confident their discipline must be included. When Mr. Colman read the covenant before the house of lords, in order to their subscribing it, he declared, that by prelacy all sorts of episcopacy were not intended, but only the form therein described. Thus the wise men on both sides endeavoured to outwit each other in wording the articles; and with these slight amendments the covenant passed the assembly and both houses of parliament; and by an order dated September 21, was printed and published as follows:—

“A solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland.

“We noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the gospel, and commons of all sorts, in the kingdoms of England, Scotland, and Ireland, by the providence

<sup>\*</sup> Calamy's Abridgment, p. 81.

† Duke of Hamilton's Memoirs, p. 237. 240.

of God, living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty, and his posterity, and the true public liberty, safety, and peace, of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts, and practices, of the enemies of God, against the true religion, and professors thereof in all places, especially in these three kingdoms, ever since the reformation of religion; and how much their rage, power, and presumption, are of late and at this time increased and exercised, whereof the deplorable estate of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are present and public testimonies; we have (now at last) after other means of supplication, remonstrance, protestations, and sufferings, for the preservation of our lives and our religion, from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn league and covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear:—

## I.

“ That we shall sincerely, really, and constantly, through the grace of God, endeavour in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and government, according to the word of God, and the example of the best reformed churches; and we shall endeavour to bring the church of God in the three kingdoms to the nearest conjunction, and uniformity in religion, confessing of faith, form of church-government, directory for worship, and catechising, that we, and our posterity after us, may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us.

## II.

“ That we shall in like manner, without respect of persons, endeavour the extirpation of Popery, prelacy (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy), superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine, and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of



their plagues; and that the Lord may be one, and his name one, in the three kingdoms.

## III.

"We shall, with the same reality, sincerity, and constancy, in our several vocations, endeavour with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and to preserve and defend the king's majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences, of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness.

## IV.

"We shall also, with all faithfulness, endeavour the discovery of all such as have been or shall be incendiaries, malignants, or evil instruments, by hindering the reformation of religion, dividing the king from his people, or one of the kingdoms from another, or making any factions or parties among the people, contrary to the league and covenant, that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, or the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient.

## V.

"And whereas the happiness of a blessed peace between these kingdoms, denied in former times to our progenitors, is by the good providence of God granted unto us, and has been lately concluded and settled by both parliaments, we shall, each one of us according to our places and interests, endeavour that we may remain conjoined in a firm peace and union to all posterity, and that justice may be done on all the wilful opposers thereof, in manner expressed in the precedent articles.

## VI.

"We shall also, according to our places and callings, in this common cause of religion, liberty, and peace of the kingdom, assist and defend all those that enter into this league and covenant, in the maintaining and pursuing thereof; and shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from this blessed union and conjunction, whether to make defection to the contrary part, or give ourselves to a detestable indifferency or neutrality in this cause, which so much concerneth the glory of God, the good of the kingdoms, and honour of the king; but shall all the days of our lives zealously and constantly continue therein against all opposition, and promote the same according to our power, against all lets and impediments whatsoever; and what we are not able ourselves to suppress or overcome, we shall

reveal and make known, that it may be timely prevented or removed.

"And because these kingdoms are guilty of many sins and provocations against God, and his son Jesus Christ, as is too manifest by our present distresses and dangers, the fruits thereof, we profess and declare, before God and the world, our unfeigned desire to be humbled for our own sins, and for the sins of these kingdoms; especially that we have not, as we ought, valued the inestimable benefit of the gospel: that we have not laboured for the purity and power thereof; and that we have not endeavoured to receive Christ in our hearts, nor to walk worthy of him in our lives, which are the cause of other sins and transgressions so much abounding amongst us; and our true and unfeigned purpose, desire, and endeavour, for ourselves and all others under our charge, both in public and private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation, that the Lord may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this covenant we make in the presence of Almighty God, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day when the secrets of all hearts shall be disclosed; most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success as may be a deliverance and safety to his people, and encouragement to the Christian churches, groaning under, or in danger of, the yoke of antichristian tyranny, to join with the same or like attestation and covenant, to the glory of God, the enlargement of the kingdom of Jesus Christ, and the peace and tranquillity of Christian kingdoms and commonwealths \*."

Monday September 25, 1643, was appointed for subscribing this covenant, when both houses, with the Scots commissioners and assembly of divines, being met in the church of St. Margaret's Westminster, the reverend Mr. White of Dorchester opened the solemnity with prayer; after him Mr. Henderson and Mr. Nye spoke in justification of taking the covenant from Scripture precedents, and displayed the advantage the church had received from such sacred combinations. Mr. Henderson spoke next, and declared that the states of Scotland had resolved to assist the parliament of England, in carrying on the ends and designs of this covenant; then Mr. Nye read it from the pulpit with an audible voice article by article, each person standing uncovered, with his right hand lifted up bare to heaven, worshipping the great name of God, and swearing to the performance it†. Dr. Gouge concluded the solemnity with prayer, after which the house of commons went up into the chancel, and subscribed their names in one roll of parchment, and the assembly in another, in

\* Rushworth, vol. 5. p. 478.

† Ibid. p. 475.



both which the covenant was fairly transcribed. Lord's-day following it was tendered to all persons within the bills of mortality, being read in the several churches to their congregations as above.

October 15, it was taken by the house of lords, after a sermon preached by Dr. Temple, from Nehemiah x. 29, and an exhortation by Mr. Colman. October 29, it was ordered by the committee of states in Scotland to be sworn to, and subscribed all over that kingdom, on penalty of the confiscation of goods and rents, and such other punishment as his majesty and the parliament should inflict on the refusers\*. All the lords of the council were summoned to sign the covenant November 2, and those who did not, to appear again the 14th of the same month, under the severest penalties, when some of the king's party not attending were declared enemies to religion, and to their king and country; November 18, their goods were ordered to be seized, and their persons apprehended; upon which they fled into England. Such was the unbounded zeal of that nation! February 2, following, the covenant was ordered to be taken throughout the kingdom of England, by all persons above the age of eighteen years; and the assembly were commanded to draw up an exhortation to dispose people to it, which being approved by both houses, was published under the title of

"An exhortation to the taking of the solemn league and covenant, for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland, and for satisfying such scruples as may arise in the taking of it; assented to by the house, and ordered to be printed."

"*Die Veneris*, February 9, 1643.

"If the power of religion, or solid reason; if loyalty to the king, and piety to their native country, or love to themselves, and natural affection to their posterity; if the example of men touched with a deep sense of all these; or extraordinary success from God thereupon, can awaken an embroiled bleeding remnant to embrace the sovereign and only means of their recovery, there can be no doubt but this solemn league and covenant will find, wheresoever it shall be tendered, a people ready to entertain it with all cheerfulness and duty.

"And were it not commended to the kingdom by the concurrent encouragement of the honourable houses of parliament, the assembly of divines, the renowned city of London, multitudes of other persons of eminent rank and quality of this nation, and the whole body of Scotland, who have all willingly sworn and subscribed it with rejoicing at the oath, so graciously seconded from heaven already, by blasting the counsels, and breaking the power, of the enemy more than ever, yet it goeth forth in its own strength with such convincing evidence of equity, truth, and

\* Duke of Hamilton's Memoirs, p. 240.

righteousness, as may raise in all (not wilfully ignorant, or miserably seduced) inflamed affections to join with their brethren in this happy bond, for putting an end to the present miseries, and for saving both king and kingdom from utter ruin, now so strongly and openly laboured by the Popish faction, and such as have been bewitched and besotted by that viperous and bloody generation \*.”—

It then proceeds to answer objections against taking the covenant; as,

Obj. 1. That it obliges to the extirpation of prelacy, which stands as yet by the known laws of the land.

Answ. The life and soul of the hierarchy is already taken away; nothing of jurisdiction remaining; and since it is but a human constitution, if it be found a grievance, we may certainly endeavour its extirpation in a lawful way.

Obj. 2. It is said to be inconsistent with the oath of canonical obedience.

Answ. If men have sworn obedience to the laws of the land, may they not endeavour by lawful means the repealing those laws, if they are found inconvenient? or if any ministers have taken oaths not warranted by the laws of God and the land, ought they not to repent of them?

Obj. 3. But the covenant crosses the oaths of supremacy and allegiance.

Answ. This is false, for it binds to the preservation of the king's person and authority, in the defence of the religion and liberties of the kingdom.

Obj. 4. But it is done without the king's consent.

Answ. So was the protestation of May 5, which went through the whole kingdom, his majesty not excepting against it, though he was then at Whitehall. The same has been done by the united Netherlands under king Philip; and more lately in Scotland, his majesty himself declaring by act of parliament, that they had done nothing but what became loyal and obedient subjects.

Dr. Barwick says †, that some persons in the university of Cambridge published an answer to this exhortation, which I have not seen; but if the reader will look forward to the year 1647, he will find the reasons of the university of Oxford against it, confirmed in convocation, the validity of which he will judge of for himself. It is certain most of the religious ‡ part of the nation, who apprehended the Protestant religion in danger, and

\* Rushworth, vol. 5. p. 475. Husband's Collections, p. 424.

† Life of Barwick, p. 35.

‡ “That is (says bishop Warburton), the Puritan: for Puritanism and religion are convertible terms with this historian.” This evidently appears to be remarked with a sneer, and to impeach the impartiality of Mr. Neal. But in answer to the remark it may be observed, that it is not candid to interpret Mr. Neal's words, as if he limited all seriousness of character to the Puritans; and then the question is, whether the fact was not as Mr. Neal states it? if it were, his language is irreprehensible.—ED.



were desirous of reducing the hierarchy of the church, were zealous for the covenant. Others took it only in obedience of the parliament, being sensible of the distressed circumstances of their affairs, and that the assistance of the Scots was to be obtained on no other terms\*. But as it was a test of a mixed nature, and contained some obligations upon conscience, which wise and honest men might reasonably scruple, who were otherwise well affected to the Protestant religion, and the liberties of their country, the imposing it as a test can never be justified, though it appears, most of the episcopal divines who made the greatest figure in the church after the Restoration, did not refuse it.

Together with the exhortation of the assembly, the following orders\* and instructions were dispersed over the kingdom.

Ordered, "That copies of the covenant be sent to all commanders-in-chief, and governors of towns, forts, garrisons, and soldiers, that it may be taken by all soldiers under their command.

"That copies be sent to the committees of parliament, in the several counties that are under the power of the parliament, and that the committees within six days disperse the said copies, and cause them to be delivered to the ministers, churchwardens, or constables, of the several parishes.

"That the several ministers be required to read the covenant to the people, the next Lord's day after they have prepared the people to take it.

"That the committees of parliament take it themselves within seven days after they have received the copies; and then disperse themselves throughout their counties, so as three or four of them may be together at the several places appointed for the people to take it. That they summon all the ministers, churchwardens, constables, and other officers, to that place, and after a sermon preached by a minister whom they shall appoint, they shall cause the said minister to tender the covenant to all such ministers and other officers, to be taken and subscribed in the presence of the committee.

"The said ministers are then to be required to tender the covenant to all the rest of their parishioners next Lord's day, and if any minister refuse or neglect to appear at the said summons, or refuse to take the said covenant, the committee shall appoint another minister to do it in his place.

"If any minister refuse to take or tender the covenant; or if any other person refuse to take it after a second tender, upon two Lord's days, their names shall be returned to the committee, and by them to the house of commons; and all persons that absent themselves after notice given, shall be returned as refusers."

The English in foreign parts were not exempted from this test; directions were sent to Mr. Strickland, the parliament's agent at the Hague, to tender it to all the English in those countries, and to certify the names of such as refused†. Here the elector

\* Rapin, vol. 12. p. 133.

† Husband's Collections, p. 420.

‡ Whitlocke, p. 79. Parliamentary Chronicle, p. 172.

palatine took it, and after some time came into England, and condescended to sit in the assembly of divines. December 20, 1643, it was ordered by the lords and commons, that no person should be capable of being elected a common-council-man of the city of London, or so much as a voice in such elections, who has not taken the covenant\*. On the 29th of January 1644, it was ordered by the commons, that the solemn league and covenant be, upon every day of fasting and public humiliation, publicly read in every church and congregation within the kingdom; and every congregation is enjoined to have one fairly printed in a large letter, in a table fitted to be hung up in a public place of the church or congregation, to be read by the people. All young ministers were required to take the covenant at their ordination; none of the laity were continued in any office of trust, either civil or military, who refused it. When the war was ended, all the noblemen, knights, gentlemen, and officers, who had opposed the parliament were obliged to submit to it, before they were admitted to composition. Notwithstanding all this severity, Dr. Calamy says, Mr. Baxter kept his people from taking the covenant, as fearing it might be a snare to their consciences; nay, he prevented its being much taken in the county he lived in, by keeping the ministers from offering it their people, except the city of Worcester, where he had no great interest†.

The king could not be unacquainted with these proceedings, for the covenant lay before the parliament and assembly almost a month, during which time his majesty took no public notice of it; but a fortnight after it had been subscribed by both houses, and by all the clergy and laity within the bills of mortality, he issued out the following proclamation, dated from Oxford, October 9, in the nineteenth year of his reign.

“By the King.

“Whereas there is a printed paper, entitled, A solemn league and covenant, for reformation and defence of religion, &c., pretended to be printed by order of the house of commons, September 21, which covenant, though it seems to make specious expressions of piety and religion, is in truth nothing else but a traitorous and seditious combination against us and the established religion and laws of this kingdom, in pursuance of a traitorous design and endeavour to bring in foreign force to invade this kingdom; we do therefore straitly charge and command all our loving subjects, of what degree or quality soever, upon their allegiance, that they presume not to take the said seditious and traitorous covenant. And we do likewise hereby further inhibit and forbid all our subjects to impose, administer, or tender, the said covenant, as they, and every one of them, will answer the contrary at their utmost and extremest perils‡.”

His majesty sent the like declaration into Scotland, to which

\* Husband's Collections, p. 404.

† Abridgment, p. 104.

‡ Rushworth, vol. 5. p. 482.



the states of that kingdom paid no farther regard, than to send him the reasons of their conduct, with their advice to his majesty to take the covenant himself.

Great complaints have been made, and not without reason, of the execution this test did upon the king's clergy throughout the kingdom. It was a new weapon put into the hands of the committees, which enabled them with more ease and certainty to detect malignant or disaffected ministers; for instead of producing a number of witnesses, as had been the method hitherto, they now tendered the covenant, which the others refusing, gave occasion to the general report, that the clergy were turned out of their livings only for refusing the covenant, whereas their sequestration was grounded upon other causes: or at least the articles of immorality or disaffection to the parliament were almost always joined with it. When the covenant passed through the parliament-quarters, in some towns it was neglected, in others the incumbent avoided it, by withdrawing for a few weeks, and getting another to officiate. Some who refused were displaced, and the names of those who absented were returned to the parliament, but little or nothing came of it. The writer of the life of bishop Saunderson says, that in the associated counties of Cambridgeshire, &c. all were ejected who refused the covenant, that is, all to whom it was tendered; for though it was pressed pretty closely in some places notorious for disaffection, in others, that had been quiet, it was little regarded. The earl of Manchester had particular instructions to tender the covenant to the Cambridge scholars, and yet the commissioners imposed it only upon such who had adhered to the king, or of whose disaffection they had sufficient evidence, several who behaved peaceably being permitted to keep their places, who would certainly have refused it. It has been observed already, that Mr. Baxter prevented its being much taken in Worcestershire; and no doubt, there were men of moderation and influence who did the same in other counties. Those clergymen who had declared for the king were usually put to the trial; but reputed Calvinists, of sober lives, who had stood neuter, were frequently overlooked; so that the beneficed clergy suffered by the covenant, rather as parties in the war, than as friends of the hierarchy. However, it being a religious test, the imposing it was, in my opinion, unwarrantable, and a very great hardship, especially as it was for some time a door of entrance into ecclesiastical preferments, for such young divines as had no concern in the war. A test of a civil nature would have answered all the ends of civil government, without shackling the consciences of men, which ought always to be left free, and open to conviction. But if the Puritan powers bore hard upon the loyalists, in imposing the covenant, the king's clergy were even with them at the Restoration, when they obliged them publicly to abjure it, or quit their preferments.

The necessity of the king's affairs having obliged him to arm

the Papists, and commission the duke of Ormond to agree to a cessation of arms with the Irish Catholics, in order to draw off his forces from thence, his majesty fell under the suspicion of favouring that religion, especially when it appeared that not only the Protestant soldiers, but the Irish rebels, were transported with them. Mr. Whitelocke\* says, several of their officers and soldiers came over with the king's army; that a month or two after, eight hundred native Irish rebels landed at Weymouth, under the lord Inchequin, and another party at Beaumaris, which committed great spoils, destroying with fire what they could not carry off. Another party landed near Chester under the earl of Cork, and fifteen hundred were cast away at sea: these wretches brought hither the same savage disposition which they had discovered in their own country; they plundered and killed people in cold blood, observing neither the rules of honour, nor the law of arms†. The Scotch forces in the north of Ireland, entered into a confederacy to stand by each other against the cessation; the parliament of England protested against it, and published a declaration informing the world, that his majesty had broke through his royal promise, of leaving the Irish war to them; they forbade all masters of ships to bring over any officers or soldiers, on penalty of the forfeiture of their vessels, and gave letters of marque to merchants and others, who would fit out ships at their own expense, empowering them to take to their own profit all such ships and goods as they should meet coming over with soldiers or warlike stores for the king. Next year an ordinance was published, that no quarter should be given to any Irish Papist taken in arms against the parliament; all officers were to except them out of their capitulations, and, upon making them prisoners, were immediately to put them to death.

This unhappy management of the king alienated the affections of great numbers of his friends who had the Protestant religion at heart; many who wished well to his person deserted him upon this occasion, and made their peace with the parliament, as the earls of Holland, Bedford, Clare, Carlisle, sir Edward Deering, and others; this last gentleman published the reasons of his conduct to the world, the principal of which were, the Irish cessa-

\* P. 75, 76, 78, 79. Rapin, vol. 2. p. 486, folio. Clarendon, vol. 2. part 1. p. 439.

† Dr. Grey contrasts this charge against the Irish rebels with instances of the conduct of the English adherents to the parliament. He brings forward with this view the murder of Dr. Walter Raleigh, dean of Windsor, by the man to whose custody he was committed; and of Colonel Bulkley, by major Cheadle: the perpetrators in each case were acquitted. The doctor also refers to the petition of the Irish Catholics to the king in 1642, complaining of the violences and cruelties of which they were the objects. It is sufficient to observe, that the cruelty of one party does not exculpate the other. On which ever side acts of injustice and cruelty are committed, humanity will lament it, and equity will reprobate it. Such is the nature of war, such is the envenomed spirit that irritates civil contests, each party is, generally, very guilty; and it may not be often easy to ascertain the proportion of guilt.—ED.



tion; his majesty preferring Popish officers to chief places of trust and honour; and the language of the Oxford clergy and others, that the king should come no other way to his palace but by conquest\*. There was certainly a very malignant spirit among those gentlemen at this time, as appears by their form of thanksgiving, or rather imprecation, for the taking of Bristol, and the success of the earl of Newcastle's army in the north: "O Lord (say they), though our sins cry aloud, hear them not, but look to the righteousness of our cause; see the seamless coat of thy Son torn; the throne of thine Anointed trampled upon; thy church invaded by sacrilege, and thy people miserably deceived by lies; see it, O God, as see it thou dost, and vindicate what thou seest on the heads of those who lead these wretches." Many of the earl of Newcastle's soldiers in the north, upon news of the Irish cessation, threw down their arms, and offered a composition; and if we may believe the Parliamentary Chronicle †, this single action lost the king all the northern counties. To put a stop to the clamours of the people, and prevent any farther desertions, his majesty resolved to support his own character as a Protestant, and accordingly made the following protestation in presence of the congregation at Christchurch, Oxford, immediately before his receiving the sacrament from the hands of archbishop Usher.

"My Lord,

"I espy here many resolved Protestants, who may declare to the world the declaration I do now make. I have, to the utmost of my power, prepared my soul to be a worthy receiver, and may I so receive comfort from the blessed sacrament, as I do intend the establishment of the true reformed Protestant religion, as it stood in its beauty in the happy days of queen Elizabeth, without any connivance at Popery. I bless God that, in the midst of these public distractions, I have still liberty to communicate. And may this sacrament be my damnation, if my heart do not join with my lips in this protestation ‡."

How consonant was this with his majesty's actions, when within a few days he agreed to a cessation with the Irish Papists for a year, and a toleration of their religion! All men knew, that his majesty not only connived at Popery, but indulged it as far as was in his power; historians therefore are at a loss to reconcile this solemn appeal to heaven, with the king's piety and sincerity. The parliament was so apprehensive of the consequences of bringing over the Irish Papists, that by an order of November 22, they desired the assembly of divines to write letters to the foreign churches of Holland, France, and Switzerland, and other places, to inform them of the artifices of his majesty's agents; of the constant employment of Irish rebels, and other Papists, to be governors, commanders, and soldiers, in his armies; of the many

\* Rushworth, vol. 5. p. 383.

† Part 3. p. 86.

‡ Rushworth, p. 346. Rapin, vol. 2. p. 490, folio.

evidences of their intentions to introduce Popery ; to hinder the intended reformation, and to condemn other Protestant churches as unsound because not prelatical ; and that the Scots commissioners be desired to join with them. In pursuance of this order, the assembly wrote the following letter, dated November 30, 1643 :—

“ To the Belgic, French, Helvetian, and other reformed churches.

“ Right reverend and dearly beloved in our Lord Jesus Christ,

“ We, the assembly of divines, and others, convened by the authority of both houses of parliament, with the commissioners from the general assembly of the church of Scotland, do heartily salute you in the Lord. We doubt not, but the sad reports of the miseries under which the church and kingdom of England do bleed, and wherewith we are ready to be swallowed up, is long since come to your ears ; and it is probable, the same instruments of Satan and Antichrist have, by their emissaries, endeavoured to represent us as black as may be among yourselves\*.—And we sometimes doubt whether we have not been wanting to our own innocence, and your satisfaction, in being thus long silent ; but pardon us, dear brethren, if this cup of trembling wherewith our spirits have been filled to amazement, and our wrestling with extreme difficulties ever since our meeting, has hindered from that which was our duty ; and give us leave now a little to ease our grief, while we relate the desolation made by the antichristian faction, who are for hindering the work of reformation, and for introducing and cherishing Popery ; and are now arrived to that strength, that if the Lord do not speedily help us, we shall be altogether laid waste by them.

“ How great a hand they [the prelates] have had, in the miseries of other reformed churches, in the destruction of the Palatinate, in the loss of Rochelle, are so fully known and felt by you all, that we need not speak any thing of them. And we suppose their inveterate hatred against you all is sufficiently manifest, in that multitudes of them have refused to acknowledge any of you for churches of Christ because you are not prelatical, and thereby, as they conceive, want a lawful vocation of ministers. Sure we are, that among ourselves, scarce one thing can be thought of which may be supposed an argument of their design to advance Popery, that has not been attempted. The laws against Popery have been suspended ; judges forbid to proceed against condemned priests ; Jesuits set free ; houses of superstition in Ireland and England have been set up and not discountenanced ; notorious Papists harboured about the court and preferred ; many released from legal penalties, and their prosecutors discountenanced ; agents have been sent into Italy, and nuncios

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\* Rushworth, p. 371.



from Rome received, while the most zealous Protestants have been persecuted ; many prelates and clergymen have publicly preached, and endeavoured to leaven the people with all points of Popery, except the supremacy, and introduced adundance of corrupt innovations into the worship of God ; for noncompliance with which many have been forced to fly for refuge to the remote parts of the world.

“They imposed upon the kingdom of Scotland a new Popish service-book and canons, to which, when that nation would not submit, they prevailed with his majesty to proclaim them rebels, and raise an army against them, to which all the Papists, and those who were popishly affected, contributed ; and had not the Lord, by his blessing on the Scots, arms, and by the calling of this parliament, prevented it, the two nations had been imbruing their hands in each other’s blood.

“But though we hoped through the goodness of God, and his blessing upon this parliament, whose hearts were inclined to a more perfect reformation, that our winter had been past, yet, alas ! we find it to be quite otherwise. We know our sins have deserved all, and if we die and perish, the Lord is righteous ; to his hand we submit, and to him alone we look for healing. The same antichristian faction not being discouraged, by their want of success in Scotland, have stirred up a bloody rebellion in Ireland, wherein above one hundred thousand Protestants have been destroyed in one province, within a few months. They have alienated the heart of his majesty from his parliament, and prevailed with him to withdraw and raise an army, which at first pretended only to be made up of Protestants—but soon after Papists were armed by commission from the king ; many great Papists were put into places of public command, and the body of all the Papists have joined his majesty with all their might ; they profess and exercise their religion publicly in several parts of the kingdom, and go up and down plundering, murdering, and spoiling of their goods, all such as adhere to the parliament, and to the cause of religion. Nor has the parliament been able, by their petitions and remonstrances, to recover his majesty out of their hands, or bring these men to deserved punishment, but the sword rages almost in every corner of this woful land.

“And to complete our miseries, they have prevailed with his majesty so far to own the rebels in Ireland, as not only to call them his Roman-Catholic subjects now in arms, but to grant them a cessation of arms for a year, and to hold what they have gotten, with liberty to strengthen themselves with men, money, arms, ammunition, &c., whereby they are enabled not only to destroy the remnant of Protestants in Ireland, but to come over hither (as many of them are already) to act the same butchery upon us.

“In the midst of these troublesome times the two houses of parliament have called this assembly, to give them our best counsel for the reformation of the church, requiring us to make God’s

word only our rule, and to endeavour the nearest conformity to the best reformed churches, and uniformity to all the churches of the three kingdoms.

"The church and kingdom of Scotland have made offer of their humble mediation to the king for a pacification, which being rejected both nations have entered into a mutual league and covenant; and the Scots have resolved to join in arms with their brethren in England, for their mutual preservation from the common enemy, and so far as in them lieth for the safety of their native king. They have also sent their commissioners hither, for uniformity of religion in the churches of both kingdoms.

"And we their commissioners do exceedingly rejoice, to behold the foundation of the house of God, not only in doctrine, but in church-government, laid before our eyes in a reverend assembly of so wise, learned, and godly divines. And we find ourselves bound in all Christian duty, as well as by our late covenant, to join in representing to the reformed churches abroad, the true condition of affairs here, against all mistakes and misinformations.

"And now, dear brethren, we beg of you, first, to judge aright of our innocence and integrity in this our just defence; if our enemies say, that we are risen up in rebellion to deprive the king of his just power and greatness, and to bring anarchy and confusion into the church of Christ, we doubt not but our solemn covenant (a copy of which we humbly present you herewith) will sufficiently clear us. Let the righteous Lord judge between us, whom we implore to help us no farther than we can plead these things in sincerity.

"Secondly, That you would sympathise with us as brethren, who suffer in and for the same cause wherein yourselves have been oppressed.

"Thirdly, That you would conceive of our condition as your own common cause, which, if it be lost with us, yourselves are not like long to escape, the quarrel being not so much against men's persons, as against the power of godliness, and the purity of God's word. The way and manner of your owning us we leave to yourselves, only we importunately crave your fervent prayers, both public and private, that God would bring salvation to us; that the blessings of truth and peace may rest upon us; that these three nations may be joined as one stick in the hands of the Lord; and that we ourselves, contemptible builders, called to repair the house of God, in a troublesome time, may see the pattern of this house, and commend such a platform to our Zerubbabels as may be most agreeable to his sacred word, nearest in conformity to the best reformed churches, and to establish uniformity among ourselves; that all mountains may become plains before them and us; that then all who now see the plummet in our hands, may also behold the top-stone set upon the head of the Lord's house among us, and may help us with shouting to cry, Grace, grace, to it.

"Thus much we have been commanded to inform you of, re-



verend brethren (and by you all faithful Christians under your charge), by the honourable house of commons, in whose name, and in our own, we bid you heartily farewell in the Lord.

"Your most affectionately devoted brethren in Christ,

William Twisse, *prolocutor*.

Cornelius Burges, John White, *assessors*,

Henry Roborough, Adoniram Byfield, *scribes*,

John Maitland, A. Johnston, Alexander Henderson,

Samuel Rutherford, Robert Bailie, George Gillespie,

*commissioners of the church of Scotland*."

The inscription was, "To the reverend and learned pastors and elders of the classes and churches of the province of Zealand, our much honoured brethren."

Letters of the same import were sent to the several churches of the Seven Provinces; to the churches of Geneva; the Protestant cantons of Switzerland; the churches of Hesse, Hanau, and Hainault; and to the Protestant congregation at Paris; all which were received with respect, and answered by the several classes\*. But the churches of Bohemia, Transylvania, Poland, Silesia, and Austria, and other cities and principalities of Germany, were not written to. The answer from the French church at Paris was read in the assembly the beginning of March; from Switzerland June 12, 1644; and from Geneva† at the same time; from the classes of Amsterdam and Guelderland June 29; and Mr. Whitelocke observes, that the Netherland divines expressed not only their approbation of the proceedings of the parliament and assembly touching the covenant, but desired to join with the two kingdoms therein.

The king, apprehending himself misrepresented to the foreign churches, in that part of the assembly's letter which insinuates a design to introduce Popery, and being advised to vindicate his character from that imputation, caused a manifesto to be drawn up in Latin and English, to all foreign Protestants; which, though not published till the beginning of next year, may be properly inserted in this place.

"Charles by the special providence of Almighty God, king of England, Scotland, France, and Ireland, defender of the faith, &c., to all those who profess the true reformed Protestant religion, of what nation, degree, or condition, soever they be, to whom this present declaration shall come, greeting.

"Whereas we are given to understand, that many false rumours and scandalous letters are spread up and down among the reformed churches in foreign parts by the politic or rather the pernicious industry of some ill-affected persons, that we have an inclination to recede from that orthodox religion which we were born, baptized,

\* History of the Stuarts, p. 232.

† "Diodati, the prince of divinity there (bishop Warburton says), returned a very temperate answer, no way inconsistent with the re-establishment of episcopacy."—ED.

and bred in, and which we have firmly professed and practised throughout the whole course of our life to this moment; and that we intend to give way to the introduction and public exercise of Popery again, in our dominions; which most detestable calumny being grounded upon no imaginable foundation, hath raised these horrid tumults, and more than barbarous wars, throughout this flourishing island, under pretence of a kind of reformation which is incompatible with the fundamental laws and government of this kingdom; we desire that the whole Christian world should rest assured, that we never entertained the least thought to attempt such a thing, or to depart a jot from that holy religion, which, when we received the crown and sceptre of this kingdom, we took a most solemn sacramental oath to profess and protect. Nor does our constant practice, and daily presence in the exercise of this religion, with so many asseverations at the head of our armies, and the public attestation of our barons, with the circumspection used in the education of our royal offspring, besides divers other undeniable arguments, only demonstrate this, but also that happy alliance of marriage we contracted between our eldest daughter and the illustrious prince of Orange, most closely confirms the reality of our intentions herein; by which it appears, that our endeavours are not only to make a profession thereof in our own dominions, but to strengthen it abroad as much as lieth in our power\*.

“This most holy religion of the Anglicane church, ordained by so many convocations of learned divines, confirmed by so many acts of parliament, and strengthened by so many royal proclamations, together with the ecclesiastical discipline and liturgy, which the most eminent Protestant authors, as well as Germans, French, Danes and Swedes, Dutch and Bohemians, do with many eulogies, and not without a kind of envy, approve and applaud in their public writings, particularly in the transactions of the synod of Dort, wherein (besides others of our divines who were afterward prelates) one of our bishops assisted, to whose dignity all due respect and precedency were given; this religion, we say, which our royal father, of blessed memory, doth publicly assert in his famous confession addressed to all Christian princes, with the hierarchy and liturgy thereof, we solemnly protest, that by the help of God, we will endeavour to our utmost power, and last period of our life, to keep entire and inviolable; and will be careful according to our duty to heaven, and the tenor of our oath at our coronation, that all ecclesiastics, in their several degrees and incumbencies, shall preach and practise. Wherefore we command all our ministers of state beyond the seas, as well ambassadors as residents, agents, and messengers; and we desire all the rest of our loving subjects that sojourn in foreign parts, to

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\* Rushworth, vol. 5. p. 752.



communicate and assert this our solemn and sincere protestation, when opportunity of time and place shall be offered.

" Given in our university and city of Oxford,

" May 14, 1644."

This declaration did the king little service among foreign Protestants, for though it assured them his majesty would not turn Papist, it convinced them that no alteration in the English hierarchy was to be expected. His marrying his daughter to the prince of Orange was perhaps the only evidence of his charity for the Dutch reformation; but his appeal to the education of his children was trifling, when all the world knew they were under Popish instructors, in pursuance of a marriage-contract, till twelve or fourteen years of age, and had received impressions not to be easily effaced. His insinuating to the foreign churches, that their most learned divines preferred the English hierarchy to the government of their own countries, convinced them they ought to be more sparing of their compliments for the future, to persons who would draw such conclusions from them. As to the synod of Dort, no precedency was given to the bishop on account of his episcopal character, but as a baron of the English parliament\*. Nor is there any thing in the declaration that might encourage the foreign clergy to hope his majesty would own their churches, ministers, or sacraments, or unite with them against the common enemy of the reformation, any more than before these unhappy troubles began.

All the episcopal divines left the assembly before the bringing in of the covenant, except Dr. Featly, who was expelled for holding correspondence with archbishop Usher at Oxford, and for revealing their proceedings, contrary to the express words of the ordinance, which obliges them "not to divulge by printing, or writing, or otherwise, their opinions or advices, touching the matters proposed to them by parliament, without the consent of both or either houses." The doctor was a learned man, and a Calvinist, upon which account the assembly paid him a high regard, and indulged him in all his speeches in favour of episcopacy, and against the covenant, some of which were after-

\* Dr. Grey will have it, that the contrary was the fact; and quotes bishop Carleton. But the quotation goes to prove no more, than that the foreign divines, at the synod, in their conversations with him, expressed their approbation of the episcopal government of the English church, and their wishes to have the same order established among themselves. But Mr. Neal's representation does not seem to be accurate. The case of precedency, according to Brandt, appears to have stood thus: when the synod met, the two commissioners of the States took place near the chimney on the right hand. The English divines sat on the left. An empty seat was kept for the French. The third place was appointed for the deputies of the Palatinate; and so on. Next to the commissioners on the right the professors of divinity took place, and then the ministers and elders of the country, according to the rank of each province. So that the precedency, which the English bishop had, naturally arose from his rank amongst the English divines; to whom in general was assigned the first seat on the left hand. History of the Reformation Abridged, vol. 2. p. 397.—ED.

ward published to the world. They appointed him to answer to a Popish pamphlet called the *Safeguard*; and he bore a part in the annotations on the Bible, which go under the name of the *Assembly*. Lord Clarendon says, the king sent him a letter forbidding him to sit any longer, but that the doctor excused it in a letter to archbishop Usher, which being intercepted, he was committed prisoner \* to lord Peter's house in Aldersgate-street as a spy: the archbishop at the same time being declared incapable of sitting in the assembly for the like reason. And here was an end of all the public concern the episcopal party had in the government of the church till the Restoration.

From the time of taking the covenant, we may date the entire dissolution of the hierarchy, though it was not as yet abolished by an ordinance of parliament. There were no ecclesiastical courts, no visitations, no wearing the habits, no regard paid to the canons, or ceremonies, or even to the common prayer itself. The archbishop of Canterbury, by an ordinance of May 16, had been forbid to collate any benefices in his gift, but to persons nominated by parliament; for disobedience to which he was, by another ordinance of June 10, "suspended *ab officio et beneficio*, and from all archiepiscopal jurisdiction, till he should be acquitted, or convicted of the high treason of which he was impeached; and as to such livings, dignities, promotions, &c. in the said archbishop's gift or collation, as are, or shall hereafter, become void, institution or induction shall henceforward be given by the archbishop's vicar-general, or any other having authority on his behalf, upon the nomination and recommendation of both houses of parliament." By this extraordinary method the reverend Mr. Corbet was inducted into the living of Chatham, "*ratione suspensionis dom. Guil. archiepiscopi Cant. et sequestrationis temporalium archiepiscopatus in manibus supremæ curiæ parliamenti, jam existentis*," "by reason of the suspension of the archbishop of Canterbury, and the sequestration of the temporalities of his archbishopric into the hands of the present high court of parliament, the same belonging to their gift." But this ordinance was of no long continuance, for upon the sitting of the assembly of divines, church-business went through their hands; the parishes elected their ministers, the assembly examined and approved of them, and the parliament confirmed them in their benefices without any regard to the archbishop or his vicar. Thus the earl of Manchester filled the vacant pulpits in the associated counties; and when lord Fairfax was authorized to supply those in the north, by an ordinance of February 27, the preamble says, "The houses being credibly informed that many ministers in the county of York were not only of a scandalous life, but having left their churches and cures, had withdrawn themselves wilfully from the

\* The imprisonment of Dr. Featley, Mr. Baxter observes, "much reflected on the parliament; because whatever the facts were, he was so learned a man, as was sufficient to dishonour those he suffered by." *Baxter's Life and Times*, p. 75.—Ed:



same, and joined such forces as had been raised against the parliament, and assisted them with men, money, horses, and arms; therefore it is ordained, that lord Fairfax be authorized to fill up their places, with such learned and godly divines as he shall think fit, with advice of the assembly \*."

This created a great deal of business; for though the assembly had not a parliamentary authority to ordain, yet the examination and approbation of such clergymen already in orders, as petitioned for sequestered livings, being by express order of the two houses referred to them, they were obliged to choose a select committee for this work; their names were,

Rev. Dr. Gouge,	Rev. Dr. Hoyle.	Rev. Mr. Gower.	Rev. Mr. Hall.
Dr. Stanton.	Dr. Burges.	Mr. Colman.	Mr. Whitaker.
Dr. Lightfoot.	Dr. Spurstow.	Mr. Hill.	Mr. Bathurst.
Dr. Smith.	Mr. Iley.	Mr. Corbet.	Mr. Cheynel.
Dr. Temple.	Mr. Reynolds.	Mr. Gataker.	
Dr. Tuckney.	Mr. Conant.	Mr. Herle.	

The method of examination was this; the names of the ministers who petitioned for livings, or were recommended by either house of parliament, being published in the assembly two or three days before the examination, liberty was given in that time to make exceptions to their characters; if nothing was objected they were examined by the committee, or any five of them, who reported their qualifications to the house, upon which each candidate received a certificate from the assembly to the following effect:

"According to an order bearing date—from the committee of the house of commons for plundered ministers, to the committee of divines for the examination of A. B., concerning his fitness to be admitted to the benefit of the sequestration of the church of ———, in the county of———, and so to officiate in the cure thereof, these are to certify the said committee of plundered ministers, that upon examination of the said A. B. and some trial of his gifts and abilities, we conceive him fit to officiate in the cure of———, in the county aforesaid. In witness whereof we have hereunto subscribed our names."

The scribes of the assembly were ordered to keep a record of all orders and certificates concerning ministers recommended to sequestrators, and to enter them in a register-book. This continued for about a year, till the new directory and form of church-government took place.

Towards the latter end of this year died William Chillingworth, A. M. whom I mention not as a Puritan, but as a witness against some of those hardships the present dissenters complain of; he was born at Oxford 1602, and educated in Magdalen-college, of which he became fellow in June 1628. He afterward turned Roman Catholic, and went to the Jesuits' college at St. Omer's,

\* Parliamentary Chronicle, part 4. 128.

where not being thoroughly satisfied in some of their principles he returned to England 1631, and having embraced the religion of the church of England, published an excellent treatise entitled, "The Religion of Protestants a safe way to Salvation," for which he was preferred to the chancellorship of the church of Sarum, and made master of Wygston-hospital in Leicester. He was inserted in the list with other loyalists to be created D. D. in the year 1642, but came not thither to receive that honour. It was the general opinion of the times that he was a Socinian, but in his last letter at the end of his works, he appears an Arian. It is very certain he refused to subscribe the thirty-nine articles, for some years after his conversion, (1.) Because he did not believe the morality of the fourth commandment. (2.) Because he did not agree to the damnatory clauses in the Athanasian creed, and therefore could not read the common prayer. He objected also to the twentieth article, of the church's power to decree rites and ceremonies; to the nineteenth article, "that works done before the grace of Christ, &c. are not pleasing to God;" and indeed, says the writer of his life, to the articles in general, as an imposition on men's consciences, much like the authority which the church of Rome assumes\*.

Mr. Chillingworth blesses God, that when he had entertained some thoughts of subscription, two unexpected impediments diverted him from it; "for (says he) I profess since I entertained it I never enjoyed quiet day nor night, till now that I have rid myself of it again; and I plainly perceive, that if I had swallowed this pill, howsoever gilded over with glosses and reservations, and wrapped up in conserves of good intentions and purposes, yet it would never have agreed nor stayed with me, but I should have cast it up again, and with it whatsoever preferment I should have gained as the wages of unrighteousness; but now, I thank God, I am resolved, that I will never do that while I am living and in health, which I would not do if I was dying: and this I am sure I would not do, and therefore whenever I make such a preposterous choice, I will give you leave to believe, that I am out of my wits, or do not believe in God—†." Notwithstanding these resolutions, he was prevailed with to subscribe, by his godfather archbishop Laud, to qualify him for the above-mentioned preferments. How the pill was gilded over is not certain; the writer of his life says he subscribed as articles of peace not of belief. Mr. Chillingworth was a quick disputant, and of very high principles, for in one of his sermons before the king, he says, that "the most unjust and tyrannical violence of princes may not be rejected; this being unlawful, even though princes be most impious, tyrannical, and idolatrous." But though his political principles were high, he was low enough with regard to the authority of councils, fathers, and convocations, in matters of faith: adher-

\* Chillingworth's Life, p. 273.

† Ibid. p. 79.



ing steadfastly to that celebrated declaration, "that the Bible alone is the religion of a Protestant." He was an excellent mathematician, and served as engineer in Arundel-castle in Sussex, in which he was taken prisoner, and when indisposed had the favour of being lodged in the bishop's house at Chichester, where he died January 20, 1643-4. It is surprising, that lord Clarendon should say, "The parliament-clergy prosecuted him with all the inhumanity imaginable, so that by their barbarous usage he died within a few days\*;" when, as he himself acknowledged, he wanted for nothing; and by the interest of Dr. Cheynel, who attended him in his sickness, was courteously used†. The doctor would have reasoned him out of some of his principles, but could not prevail, and therefore at his interment, after a reflecting speech upon his character, threw his book, entitled "The Religion of Protestants a safe way to Salvation," into the grave, saying, "Get thee gone, thou cursed book, which has seduced so many precious souls; earth to earth, dust to dust; get thee into the place of rottenness, that thou mayest rot with thy author, and see corruption." A most unchristian and uncharitable imprecation!

Among the considerable statesmen who died this year, may be justly reckoned John Hampden, esq. of Buckinghamshire, a gentleman of good extraction, and one of the greatest patriots of his age, as appears by his standing trial with the king in the case of ship-money, which raised his reputation to a very great height throughout the kingdom. He was not a man of many words, but a very weighty speaker; his reputation for integrity universal, and

\* Chillingworth's Life, p. 314. 325.

† Dr. Cheynel's kindness extended to the procuring a commodious lodging for Mr. Chillingworth; to engaging the physician, as his symptoms grew worse, to renew his visits; and to securing for him the rites of burial, which some would have denied him. Yet he held the opinions of Mr. Chillingworth in the greatest detestation, and treated his name and memory with virulence and asperity, as appears from the above speech at the interment of this great man, and by a pamphlet he published, entitled, "Chillingworthi Novissima; or the sickness, heresy, death, and burial, of William Chillingworth," &c. which Bishop Warburton calls "a villainous book;" and tells us, that "Mr. Locke speaks of it in the harshest terms, but not more severely than it deserves." The fact is, as bishop Hoadley states it, "Dr. Cheynel was a rigid zealous Presbyterian; exactly orthodox; very unwilling that any should be supposed to go to heaven but in the right way. And this was that one way, in which he himself was settled; and in which he seems to be as sincere, and honest, and charitable, as his bigotry and his cramped notions of God's *peculium* could permit him to be." Years after this Dr. Snape, a clergyman of name in the church of England, displayed the like temper and spirit to Dr. Cheynel, in the Bangorian controversy; which I mention to introduce bishop Hoadley's excellent conclusion from both these instances of bigotry; namely, "that an intemperate heat scorches up charity in one church, as well as in another; and every where equally lays waste the most amiable duties of Christianity: and that men of the most opposite persuasions, agreeing in the same narrowness of principles and notions of zeal, though differing from one another in many particulars, even to a degree of mutual destruction, can kindly and lovingly unite in condemning the best principles of all religion as subtle atheism, or indifference, or infidelity; and in declaring them to be the principles of all irreligion, when their several schemes and systems are likely to suffer from them." So the sentiments on toleration, charity, and free inquiry, as they were defended by Chillingworth and by Hoadley's friend, were condemned by Cheynel and Snape. Hoadley's works, vol. 2. p. 622, folio; and Palmer's Nonconformists' Memorial, vol. 2. p. 466.—Ed.

his affections so publicly guided, that no corrupt or private ends could bias them. He was indeed a very wise man, of great parts and modesty, and possessed of the most absolute spirit of popularity, says lord Clarendon, I ever knew. He was one of the impeached members of the house of commons, and in the beginning of the war took the command of a regiment, and performed the duty of a colonel on all occasions punctually, being a man of great personal courage, not to be tired out by the most laborious, and of parts not to be imposed upon by the most subtle, but because he fought against the court, lord Clarendon says (if this be not an interpolation of the editors) that he had a head to contrive, a tongue to persuade, and a hand to execute, any mischief\*. Which is very unaccountable in one whom his lordship had commended as a person not only of cheerfulness and affability, but of extraordinary sobriety and strictness of life. Mr. Hampden was certainly in all respects one of the greatest and best men of his age, and the parliament sustained an irreparable loss in his death, which happened June 24, about a week after his shoulder-bone had been broken by a musket-ball, in a skirmish with prince Rupert's forces in Calgrave-field.

John Pym, esq. member for Tavistock in all the parliaments of king Charles I. was a man of the greatest experience in parliamentary affairs of any man of his time. He was an admirable speaker, and by the gravity of his countenance and graceful behaviour, could turn the house which way he pleased; he was a man of business and for moderate measures, according to lord Clarendon, till the king impeached him of high treason. In his private life he was eminent for true piety and exactness of manners; and though inclined to the Puritan party, not averse to the hierarchy with some emendations. He was one of the lay-members of the assembly of divines, and at the head of all public business, the fatigue of which wore out his constitution, and put an end to his life, December 8, 1643, in the sixtieth year of his age. The news of no man's death was more welcome to the roy-

\* Oldmixon's History of the Stuarts, p. 227.

Dr. Grey endeavours to establish the authenticity of this passage by a large quotation from the Weekly Miscellany, by Richard Hooker, of the Temple, esq. —To Mr. Neal's account of Hampden it may be added, that he was born in the year 1594, and died the 24th of June 1643, leaving ten children behind him. The parliament, as a testimony of his service to the public, ordered the sum of 5,000*l.* to be paid to his assignees out of the excise. Mr. Baxter has placed him with the saints in heaven (Everlasting Rest, p. 82, 83); and lord Cobham with the worthies in his elysium at Stow. Under his bust is this inscription:

"JOHN HAMPDEN,

"Who with great spirit, and consummate abilities, began an opposition to an arbitrary court, in defence of the liberties of his country; supported them in parliament, and died for them in the field."

He argued the case of ship-money with the judges for twelve days together, in the exchequer-chamber: and "had more reason to triumph (says Mr. Granger), from his superiority in the argument, than the crown had for its victory in the cause." Biographical History of England, vol. 2. p. 212, 8vo. and Mrs. Macaulay's History, 8vo. vol. 3. p. 432, 433, note, in which work the character of this great man is fully delineated.—Ed.



alists than his, who spread a report, that he died of the *morbus pediculosus*\*; to confute which aspersion, his body was exposed to public view for many days, and at last interred in the most honourable manner in Westminster-abbey. A little before his death, he published his own vindication to the world, against the many slanders that went abroad concerning him, wherein "he declares himself a faithful son of the Protestant religion, and of the orthodox doctrine of the church of England. He confesses he had been for reforming abuses in the government of the church, when the bishops, instead of taking care of men's souls, were banishing their bodies into the most desolate places; bringing in new canons, Arminian and Pelagian errors, and such a number of rites and ceremonies as the people were not able to bear.—When since that time they had, as much as in them lay, fomented the civil differences between the king and his parliament, abetting and encouraging malignants with large supplies of men and money, and stirring up the people to tumults by their seditious sermons. For these reasons (says he) I gave my opinion for abolishing their functions, which I conceive may as well be done as the dissolution of monasteries, monks, and friars, was in king Henry the Eighth's time. He concludes with declaring, that he was not the author of the present distractions; with acknowledging the king for his lawful sovereign, but thinks, when he was proscribed for a traitor, merely for the service of his country, no man can blame him for taking care of his own safety, by flying for refuge to the protection of parliament, who were pleased to make his case their own."

### CHAPTER III.

THE OXFORD PARLIAMENT. PROGRESS OF THE WAR. VISITATION OF THE UNIVERSITY OF CAMBRIDGE BY THE EARL OF MANCHESTER. COMMITTEES FOR PLUNDERED, SEQUESTERED, AND SCANDALOUS MINISTERS.

THE campaign being ended without any prospect of peace, both parties endeavoured to strengthen themselves by new and sove-

\* Dr. Grey has the candour to discredit this report; and says, from the funeral sermon for Mr. Pym by Mr. Marshal, that it was confuted by the testimony of near a thousand people who saw the corpse, and of eight physicians who were present at the opening of the body. Yet the doctor repeats, from Clarendon, the calumnies of those who accused him of raising considerable sums by dishonest practices, of corrupting witnesses, and selling his protection for bribes; though he was exculpated before the tribunal of parliament, vindicated his conduct by his own pen, and left his private fortune at so low an ebb, that the parliament expended a considerable sum in the payment of his debts; an evidence sufficient of itself to confute his enemies. Mr. Pym was called, in early life, *Phœbi delicia, lepos puellæ*. He was commonly called "king Pym;" and from his experience in the forms of parliament, his knowledge of the law and constitution, his powers of argument and elocution, and his known honesty and integrity, he enjoyed an unrivalled authority in the lower house. Mrs. Macaulay, vol. 4. p. 92, 94; and Granger's Biographical History, vol. 2. p. 211.—ED.

reign acts of power. The parliament experiencing the want of a great seal, for many purposes, gave orders that one should be made\*. They continued to list soldiers, to levy taxes, and to use every method to support their cause†, which their policy suggested, and their necessity urged. On the other hand, the king raised contributions without form of law‡; ordered the removal of the courts of justice from Westminster; and that he might seem to act in a parliamentary way, summoned the members who had been expelled the houses, and all others willing to withdraw from the rebellious city of London, to meet him at Oxford§, January 22, 1643—4, which was, in effect, disannulling the act for continuing of the present parliament. In obedience to the proclamation, there appeared forty-nine peers, and one hundred and forty-one of the house of commons, not reckoning those employed in his majesty's service, or absent with leave. Lord Clarendon says ||, the appearance of both houses with the king was superior in number, as well as quality, to those at Westminster; which must be a mistake; for though the majority of peers were on that side, Mr. Whitelocke ¶ assures us, that upon a call of the house of commons, the very day the others were to meet at Oxford, there were present two hundred and eighty members, not reckoning one hundred more, who were engaged in their service in the several counties. This is a very considerable majority; though if there had been only forty, the king could not have prorogued or dissolved them, without their own consent. However, the Oxford members styled themselves the parliament, lord Littleton being speaker for the peers, and serjeant Evers for the commons\*\*. Their first step was to satisfy the world they desired peace, such a peace, to use the king's own words††, "wherein God's true religion may be secured from the danger of Popery, sectaries, and innovations: the crown

\* Rushworth, vol. 5. p. 560.

† "What was all this (says Dr. Grey) but high treason?" To confirm his opinion he refers to Dr. Wood's Institute of the Laws of England, and to the 25th of Edw. III. cap. 2, as authorities to shew, that the acts of parliament were acts of treason. As if laws formed to preserve the allegiance of the subject to a king acting constitutionally and fulfilling faithfully his part of the political contract, applied to extraordinary emergencies and to a sovereign who had violated the constitution. As if laws made to restrain individuals bound the majority of the representative body of the nation. See also Rapin, vol. 2. p. 494, folio.—Ed.

‡ "And pray (asks Dr. Grey), what form of law had the rebels for raising contributions?" That form of law, our readers will probably reply, and that spirit of the constitution, which invest the representatives of the people with the power and right of appointing the taxes.—Ed.

§ The impolicy of this step is forcibly, though somewhat jocularly, represented by Mr. Selden: "The king calling his friends from the parliament (said this great man), because he had use of them at Oxford, is as if a man should have use of a little piece of wood, and he runs down into the cellar, and takes the spigot: in the meantime all the beer runs about the house: when his friends are absent the king will be lost." Table-talk on the word King.—Ed.

|| Clarendon's Remains, p. 165.

¶ Memoirs, p. 76.

\*\* Rushworth, p. 567. 688. Rapin, p. 496. 502, folio. Oldmixon's History of the Stuarts, p. 246.

†† On another occasion, in his speech to the inhabitants of Somersetshire, July 13, 1644.—Ed.



may possess those just prerogatives, which may enable me to govern my people according to law, and the subjects be confirmed in those rights which I have granted them in parliament, to which I shall be ready to add such new graces as I shall find may most conduce to their happiness." They laid an excise upon tobacco, wine, strong waters, ale, cider, grocery and mercery wares, soap, salt, and butcher's meat, and subscribed considerable sums of money for support of the war; they declared the Scots then entering England with an army, traitors—and the lords and commons at Westminster, guilty of high treason, for inviting them, as well as for counterfeiting the great seal. On the other hand, the parliament at Westminster would not acknowledge the Oxford members, or receive a message from them under the character of a parliament, but expelled them their house, except they returned to their seats within a limited time\*. April 16, 1644, the king prorogued his Oxford members to November following, when they fell under his displeasure, for advising to pacific measures at the treaty of Uxbridge, which was then upon the carpet, and in a fair way of producing an accommodation. This was so disagreeable to the queen and her Roman-Catholic counsellors, that they never left off teasing the unhappy king, till he had dismissed them, and broke off the treaty; an account of which he sent her in the following letter, which seems to breathe an air of too great satisfaction.

"Dear heart,

"What I told thee last week, concerning a good parting with our lords and commons here, was on Monday last handsomely performed: now if I do any thing unhandsome, or disadvantageous to myself or friends, in order to a treaty, it will be merely my own fault.—Now I promise thee, if the treaty be renewed (which I believe it will not) without some eminent good success on my side, it shall be to my honour and advantage, I being now as well free from the place of base and mutinous motion† (that is to say, our mungrel parliament here) as of the chief causers, for whom I may justly expect to be chidden by thee, for having suffered thee to be vexed by them—‡."

Mr. Whitelocke says, this assembly sat again at Oxford in the year 1645, and voted against the directory, and for the common prayer; but the king's cause being grown desperate, they soon after shifted for themselves, and made their peace at Westminster, upon the best terms they could obtain.

On the 19th of January 1643—4, the Scots army, consisting of twenty-one thousand men, under the command of general Leven,

\* Rushworth, vol. 5. p. 383. Rapin, vol. 2. p. 497. 506, folio.

† "There is no circumstance (observes bishop Warburton) that bears harder on the king's conduct than this. It is not to be conceived that these men, who hazarded all to support the king's right, could advise him to any thing base in a mutinous manner. I doubt that this is too strong a proof that nothing less than arbitrary government would heartily satisfy him."—Ed.

\* Rapin, p. 512, folio.

crossed the Tweed at Berwick, and entered England. The two houses sent a committee to meet them, which being joined by another of that nation, was called the committee of both kingdoms\*, and were a sort of camp parliament, to direct the motions of the army, which after some time united with the lord Fairfax's forces, and with those under the command of the earl of Manchester, and lieutenant-general Cromwell, from the associated counties. The united armies laid siege to the city of York, which prince Rupert having relieved, occasioned the battle of Marston-moor, wherein the prince was routed, with the loss of three thousand men and his whole train of artillery; and thereupon the marquis of Newcastle, leaving the royal army, embarked with divers lords and gentlemen for Hamburgh, prince Rupert retiring towards Chester, and deserting all the northern garrisons to the mercy of the enemy, which falling into their hands next summer, concluded the war in those parts.

His majesty however had better success in the west, where being strengthened by prince Maurice, he followed the earl of Essex, and shut up his army within the narrow parts of Cornwall, so that he could neither engage nor retreat†. Here the king invited the earl to make his peace, but he choosing rather to retire in a boat to Plymouth, left his men to the fortune of war. As soon as the general was gone, the horse under the command of sir William Balfour bravely forced their way through the royal quarters by night; but the foot, under the command of major-general Skippon, were obliged to surrender their arms, artillery, ammunition, and baggage, consisting of forty brass cannon, two hundred barrels of powder, match and ball proportionable, seven hundred carriages, and between eight and nine hundred arms, and to swear not to bear arms against the king, till they came into Hampshire. This was the greatest disgrace the parliament's forces underwent in the course of the war, the foot being forced to travel in a naked and starving condition to Portsmouth, where they were supplied with new clothes and arms. And now again, the king made offers of such a peace as, he says, he had been labouring for, that is, to be restored to his prerogatives as before the war; but the houses would not submit.

Upon the defeat of the earl of Essex, his majesty resolved to march directly for London, and upon the road issued a proclamation, September 30, 1644, requiring all his loving subjects to appear in arms, and accompany him in his present expedition‡. This gave rise to a combination of men, distinguished by the name of Club-men, who associated in Worcestershire and Dorsetshire, agreeing to defend themselves against the orders both of king and parliament. Their increase was owing to the prodigious ravages of the king's forces in their march. Prince Rupert was a fiery youth, and with his flying squadrons of horse, burnt towns and

\* Rushworth, vol. 6. p. 603.

† Ibid. vol. 5. p. 691. 701. 705. 710.

‡ Rapin, vol. 2. p. 504, folio.



villages, destroying the countries where he came, and indulging his soldiers in plunder and blood. In Wales he drove away the people's cattle, rifled their houses, and spoiled their standing corn. Aged and unarmed people were stripped naked, some murdered in cool blood, and others half hanged, and burnt, and yet suffered to live\*. "Lord Goring, the king's general of the horse, was one of the most finished debauchees of the age, and wanted nothing but industry to make him as eminent and successful in the highest attempts of wickedness as ever any man was. Wilmot, the lieutenant-general, was as great a debauchee as the other, and had no more regard to his promises, or any rules of honour and integrity†." Sir Richard Grenville, who commanded the army before Plymouth, is represented by the noble historian, as having been exceeding barbarous and cruel in Ireland, hanging up old men and women of quality, even though they were bed-ridden, if he did not find the plunder he expected; when he came into the west, he exercised all kinds of cruelty, and would sometimes make one of the company hang all the rest, contrary to the law of arms‡.

\* Whitelocke, p. 62. 87. 103.

The reference here, in the former editions of Mr. Neal, is to p. 87 of Whitelocke's Memoirs; where all that is said concerning prince Rupert is, "that he took in Liverpool a garrison of the parliament's in Lancashire, but they first shipped all their arms, ammunition, and portable goods, and most of the officers and soldiers went on ship board, whilst a few made good the fort, which they rendered to the prince upon quarter, yet were all put to the sword. This indeed (says Dr. Grey) was bad enough, but not quite so bad as Mr. Neal has represented it. Not one word of stripping aged and unarmed people naked, or murdering people in cold blood, or of half hanging or burning others. A dismal character of prince Rupert this indeed, had we not reason to call the truth of it in question." The references, which we have now supplied, will shew that the truth of this character ought not to have been questioned, and that it was drawn from facts stated by Mr. Whitelocke. From whom we will give another instance of the severity with which prince Rupert, at the commencement of his military career, pursued his conquests, and of the cruelty of the royal party from the beginning, before mutual provocations had inflamed their passions; or they had been familiarized to scenes of blood. When the prince had taken the magazine of the county at Cirencester, and one thousand one hundred prisoners, he sent these captives, tied together with cords, almost naked, beaten and driven along like dogs, in triumph to Oxford; where the king and the lords looked on them, and too many smiled at their misery. Memoirs, p. 64.—Ed.

† The reader will be surprised, when he is told, that Dr. Grey discredits this character of the lieutenant-general Wilmot, though it is given from lord Clarendon, and opposes to it a narrative of his lordship<sup>a</sup>, in which he relates, that Wilmot, when he was before Marlborough, gave not only his life, but his liberty, to a spy whom he had apprehended. This Dr. Grey extols as a generous act, when, according to the statement he himself gives of it from Clarendon, it was to be ascribed to Wilmot's policy and generalship. For, before he dismissed the spy, he ordered his forces to be drawn up before him in the most convenient place, and bid the fellow to look well upon them, and observe, and return to the town and report what he had seen, with a threat to the magistrates if the garrison did not surrender, and a promise of security if it submitted. The representations which the man made were of some advantage to the views of the royal party. Yet this conduct of Wilmot, which seems to have been a manoeuvre only, in order to disparage Mr. Neal's delineation of his general character, is pompously represented by Dr. Grey as a singular instance of honour and generosity.—Ed.

‡ Clarendon, vol. 2. p. 534.

<sup>a</sup> Clarendon, vol. 2. p. 537. 555.

The licentiousness of the king's soldiers was not inferior to that of their officers: for having no regular pay, they committed rapines and plunders, without distinction of friends or foes; and were infamous for the most execrable oaths, and all kinds of impiety. "Lord Goring's horse (says the noble historian) committed horrid outrages and barbarities in Hampshire, and infested the borders of Dorsetshire, Somersetshire, and Devon, with unheard-of rapines, so that the people who were well devoted to the king, wished for the accession of any force to redeem them\*." They raised vast contributions in several counties, without any other pretence but the king's sovereign pleasure. In Cornwall they levied 700*l.* a week; in Devonshire 2,200*l.* a week, and proportionable in other parts†. As the army marched along the country, they seized the farmers' horses, and carried them away without any consideration. At Barnstable they plundered the town and hanged the mayor, though it was surrendered upon articles. At Evesham the king sent the mayor and aldermen prisoners to Oxford. At Woodhouse in Devonshire, they seized fourteen substantial west country clothiers, who were not in arms, and hanged them, by way of reprisal for some Irish rebels, that had been executed according to the ordinance of parliament. In short, wherever they came they lived at free-quarter, and took but every thing they could, and therefore no wonder the Clubmen united in their own defence.

The king thought to have reached London before the parliament could recruit their army, but the two houses sent immediately six thousand arms, and a train of artillery to Portsmouth, with new clothing for the Cornish soldiers. They ordered sir William Waller and the earl of Manchester to join them, and dispatched thither five thousand of the city train-bands, under the command of sir James Harington, by which accession they were enabled to face his majesty's army at Newbury, October 27; and having forced the town, which the king had fortified, after a smart engagement they took nine of his cannon and several colours; but under covert of the night, his majesty secured the rest of his artillery in Dennington-castle, and retreated with his broken army to Oxford. The parliament-generals left a body of troops to block up the castle, being assured it must surrender in the winter for want of provision; when on a sudden a party of the king's horse raised the blockade, and carried off the artillery to Oxford. This occasioned great murmuring at London, and quarrels among the generals, Essex, Manchester, and Cromwell, which ended in the new-modelling of the army, as will be seen under the next year.

While the royal army was little better than a company of banditti, or public robbers, the parliament's were kept under the strictest discipline, and grew up, for the most part, into great

\* Clarendon, vol. 2. p. 631.

† Ibid. p. 643.



diligence and sobriety, which, says lord Clarendon, begot courage and resolution in them, and notable dexterity in achievements and exercises\*. Most of their officers were men of religion†; their soldiers possessed with a belief, that their cause was the cause of God‡, and that they fought for the Protestant religion, and magna charta; however, there were among them men of dissolute lives, who fought only for pay and plunder; strange complaints being sent up from Bedfordshire, Buckinghamshire, and Sussex, of the disorders of the common soldiers, the parliament appointed a committee to inquire into the facts, and make examples of the offenders, which put an effectual stop to the growing mischief. And as the parliament were enabled, by the inexhaustible treasure of the city of London, to give their soldiers regular pay, they had them under such strict government, that they were little or no burden to the towns and villages where they were quartered§.

Upon the whole, the parliament-affairs were low at the end of this year, and their counsels divided by reason of the length of the war, and the king's were much worse; for though he had triumphed over the earl of Essex in Cornwall, and was master of the open country in the west, he had no accession of real strength, nor had taken any considerable garrisons; the entrance of the

\* Clarendon, vol. 2. p. 348.—This, Dr. Grey argues, does not agree with what lord Clarendon says in another place, viz. in his History, vol. 2. p. 46 and 55; and he insinuates that it is not true. As if what Mr. Neal advances must be false, even when he quotes lord Clarendon for his assertions, because it is apparently repugnant to the representations elsewhere given by his lordship's pen: as if it were incumbent on Mr. Neal to reconcile this noble writer to himself. But the veracity of Mr. Neal, and the consistency of lord Clarendon with himself, would not have been impeached by Dr. Grey, had he examined the passage to which Mr. Neal refers: by which it appears, that both the king's and the parliament's army, at different periods, were of different characters; and the description which they deserved at one time did not apply to another. The passage which Mr. Neal now quotes, referred to a later, and the passages below, to which Dr. Grey directs his reader, refer to a former period. His lordship says, "those under the king's commanders grew insensibly into all the licence, disorder, and impiety, with which they had reproached the rebels: and they into great discipline, diligence, and sobriety." —Ed.

† "Of pretended sanctity (says Dr. Grey), in which none could exceed them. They were praying and preaching when the enemy was at a distance, and literally made long prayers to devour widows' houses." He refers, then, to his own appendix for an instance of their fanatical humour: but the authorities, which he here produces, relate to the Scottish, not the English army.—Ed.

‡ This representation, Dr. Grey thinks, is contrary to Mr. Neal's character of them, in chap. 7, from Mr. Baxter; who says, "that the greatest part of the common soldiers were ignorant men, of little religion." But the doctor neither adverts to the time when this was said, namely in 1646, after the army had been new-modelled; nor observes what follows in Mr. Baxter, which shews that these ignorant irreligious were many of them such as had belonged to the royal corps: "abundance of them, such (says he) as had been taken prisoners, or turned out of garrisons under the king, and had been soldiers in his army." Baxter's Life, p. 53. —Ed.

§ Dr. Grey, to confute these assertions of Mr. Neal, refers to papers which he has given in the appendix to his second volume; but the complaints brought forward in these papers are made of the Scottish army, and to transactions of the following year, viz. 1645.—Ed.

Scots broke his army in the north, and lost him that part of the kingdom, whereby the parliament were enabled to draw off their forces to the west; and the worst circumstance of all was, that his majesty, having exhausted his treasure, had no way of raising a supply, which obliged him to connive at his soldiers living at free-quarter; his officers being poor, quarrelled in the royal presence, and carried their resentments to such a height, that the king himself could not reconcile them, which had a very ill aspect on the succeeding campaign\*. The parliament-generals also were censuring each other's conduct in the house, on occasion of the escape of the king's artillery from Dennington-castle. The earl of Essex's party were charged with a design of protracting the war, in order to an accommodation, while others being weary, were for putting it to a decisive issue. In short, both parties were in confusion and distress; they were divided among themselves, some being for peace, and others for carrying on the war to the last extremity. All property was in a manner lost, the farmers paying no rent to their landlords; nor could any man be secure of what he possessed, except he buried it under ground. The spirits of the contending parties were as much exasperated as ever, and there was no seeing to the end of their troubles.

To return to the church. The state of the controversy about ecclesiastical discipline was now changed; for whereas before the entrance of the Scots, the parliament insisted only upon a reformation of the hierarchy, now they were engaged to attempt the total extirpation of it, and to establish another scheme for both kingdoms in its room: though it was a considerable time before this could be perfected. In the meanwhile, they resolved to purge the university of Cambridge, which was the head-quarters of their forces, that they might have a succession of clergymen training up in the principles they had espoused.

The town of Cambridge was in the interest of the parliament, but the colleges were so many little garrisons for the king, and sanctuaries of disaffection; the university-press was at his majesty's disposal, and their sermons filled with invectives against the two houses. Frequent quarrels happened between the townsmen and scholars, which would have ended in the ruin of the university, had not the parliament forbid the offering any violence to the colleges, chapels, libraries, and schools, under severe penalties†. Indeed the committee enjoined the proper officers of the parish, to put in execution the ordinance for destroying the relics of superstition, whereby the paintings in windows, images of the Deity, and a great deal of carved work, were demolished; at which the masters and fellows were so incensed, that when they were ordered to repair the damages, they peremptorily refused, and were fined 40*s.* a college, as the ordinance directed‡.

The heads of the university raised a great clamour at this pre-

\* Clarendon, vol. 2. p. 389—391.

† *Sufferings of the Clergy*, p. 168.

‡ *Ibid.* p. 111; and *Dr. Grey*, vol. 2. p. 141.



tended invasion of their rights, as if the parliament intended to seize all their revenues, and destroy the very fountains of learning; whereupon the houses published the following ordinance, January 6, 1643—4, declaring “that none of the estates, rents, and revenues, of the university, or of the colleges and halls respectively, shall be sequestered or seized upon, or in any wise disposed of, by virtue of the ordinance for sequestering the estates, rents, and revenues, of delinquents, but shall remain to the university, and the respective halls and colleges, to all intents and purposes as if the said ordinance had not been made; and the rents and revenues, &c. are ordered to be approved of by the earl of Manchester, and to be applied to their proper uses as heretofore. But if any of the heads, fellows, scholars, or other officers, were convicted of delinquency, the receiver was to pay their dividend into the hands of the committee of sequestrations\*.”

This committee was founded upon an ordinance of January 22, for regulating the university of Cambridge, and for removing scandalous ministers in the seven associated counties: the preamble sets forth, “that the service of the parliament was retarded, the people’s souls starved, by the idle, ill-affected, and scandalous clergy of the university of Cambridge, and the associated counties; and that many who were willing to give evidence against them, not being able to bear the charges of a journey to London, the earl of Manchester was therefore empowered to appoint committees in all the associated counties, to consist of ten persons, being deputy-lieutenants, or such as had been nominated to committees, by some former ordinance of parliament; five of these were a quorum, and they were empowered to call before them all provosts, masters, and fellows, of colleges, all students and members of the university, all ministers in any of the counties of the association, all schoolmasters that were scandalous in their lives, or ill-affected to the parliament, or fomenters of this unnatural war, or that shall wilfully refuse obedience to the orders of parliament, or that have deserted their ordinary places of residence, not being employed in the service of the king and parliament. The said committee were also empowered to send for witnesses, and to examine any complaints against the forementioned delinquents upon oath, and to certify the names of the persons accused to the earl of Manchester, with charge and proof, who shall have power to eject such as he shall judge unfit for their places; to sequester their estates, means, and revenues, and to dispose of them as he shall think fit, and place others in their room, being first approved by the assembly of divines sitting at Westminster. He had also power to order the covenant to be administered where he thought fit, and to assign the fifths of sequestered estates for the benefit of their wives and children†.” The ordinance makes no mention of the doctrine or discipline of the church, seeming to be levelled only against those who took part with the king in the war.

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Husband’s Collections, p. 409.

† Ibid. p. 415.

The earl of Manchester, who was at the head of these sequestrations, was styled, in the lifetime of his father, lord Kimbolton, and was one of the impeached members of the house of commons : lord Clarendon observes\*, that "he was of a genteel and generous nature ; that his natural civility and good manners flowed to all men, and that he was never guilty of any rudeness, even to those whom he was obliged to oppress ; that he long and heartily wished for the restoration, and never forfeited that grace and favour to which his majesty received him after his return." The earl repaired in person to Cambridge, about the middle of February, with his two chaplains, Mr. Ashe and Mr. Good, and by his warrant of the 24th instant, required the heads of the several colleges and halls to send him their statutes, with the names of all their members, and to certify who were present, and who absent, with the express time of their discontinuance†. Two days after, the officers of each college and hall were ordered to give speedy advertisement to the masters, fellows, scholars, &c. to repair to Cambridge by the 10th of March, in order to answer such inquiries as should be made by himself or his commissioners. But the earl being informed, that this notice was too short, the time was prolonged to the 3rd of April, when the earl summoned Mr. Tunstal and Mr. Palgrave, fellows of Corpus-Christi college, to appear before the commissioners at the Bear-inn in Cambridge, on penalty of ejection. Warrants of the same nature were sent to several of the fellows of Caius, St. John's, Queen's, Peterhouse, Sidney, Trinity, Christ's, Magdalen, and Jesus colleges ; and to Pembroke and Clare hall ; who, not appearing according to the summons, were, by a warrant of April 8, ejected, to the number of sixty-five. The reasons assigned for their expulsion were, non-residence, and not returning upon due summons, and several other political misdemeanours‡. If the parties ejected returned after this, they were required not to continue in the university above three days, on pain of imprisonment, and confiscation of their goods ; their names were put out of the butteries, and the profits of their places reserved for their successors. Not one fellow or student in Trinity-hall, or Katherine-hall, was turned out, but all Queen's college was evacuated.

The covenant which was read March 18, 1644, in the churches and chapels of the town and university, and tendered to the inhabitants and soldiers, was not offered to the whole university, but only to such of whose disaffection they had sufficient evidence. Archbishop Tillotson says, the greatest part of the fellows of King's college were exempted, by the interest of Dr. Whichcote ; and no doubt others who had behaved peaceably, obtained the same favour§. Dr. Barwick, author of the *Querela Cantabri-*

\* Clarendon, vol. 1. p. 183. Vol. 2. p. 211, 212.

† *Sufferings of the Clergy*, p. 112.

‡ *Ibid.* p. 151. 160.

§ *Introduction to the Sufferings of the Clergy*, p. 113.



giensis, a famous loyalist, mentions an oath of discovery for the university, like that of the oath *ex officio*; but Mr. Fuller the historian, about the year 1653, having requested an account of this oath from Mr. Ashe the earl's chaplain, he returned for answer, that he remembered no such thing. Mr. Fuller adds, that he is upon just grounds daily confirmed in his confidence, that neither the earl of Manchester, nor any other under him by his command or consent, enforced such an oath\*.

The whole number of graduates expelled the university in this and the following years, by the earl of Manchester and his commissioners, including masters and fellows of colleges, were, according to Dr. Walker, near two hundred, besides inferior scholars, which were something more than one half†; for the same author tells us in another place‡, there were about three hundred and fifty-five fellowships in the several houses of the university; above one hundred and fifty kept their places, and far the greatest part of the rest had deserted their stations, and fled to the king. There were six heads of colleges out of sixteen that complied, viz. Dr. Bainbrigge of Christ's college, Dr. Eden of Trinity-hall, Dr. Richard Love of Ben'et-college, Dr. Brownrigge of Katherine-hall, ejected in the year 1645, Dr. Bacherof of Caius-college, and Dr. Rainbow of Magdalen-college. The ten who were ejected by the earl of Manchester March 13, or some little time after, with the names of their successors, are contained in the following table:—

<i>Masters turned out.</i>	<i>Colleges.</i>	<i>Succeeded by</i>
Dr. John Cosins, from	Peter-house,	Dr. Lazarus Seaman.
Dr. Thomas Pask,	Clare-hall,	Dr. Ralph Cudworth.
Dr. Benjamin Laney,	Pembroke-hall,	Mr. Richard Vines.
Dr. Samuel Collins,	King's college, *	Dr. Benjamin Whichcote,
Dr. Edward Martin,	Queen's college,	Mr. Herb. Palmer.
Dr. Richard Stern,	Jesus-college,	Dr. T. Young.
Dr. William Beale,	St. John's-college,	Dr. J. Arrowsmith.
Dr. Thomas Comber,	Trinity-hall,	Dr. Thomas Hill.
Dr. R. Holdsworth,	Emanuel-college,	Dr. Ant. Tuckney.
Dr. Samuel Ward,	Sidney-college,	Dr. Richard Minshull.
<i>Anno 1645.</i>		{ Dr. W. Spurstow,
Dr. Ralph Brownrigge,	Katherine-hall,	and afterward
		{ Dr. Lightfoot.

It has been objected to the proceedings of the commissioners, that they were not according to the statutes of the university; to which it was replied, that the nation was in a state of war; that these gentlemen were declared enemies to the proceedings of parliament; that they instilled into their pupils the unlawfulness of resisting the king upon any pretence whatsoever, and preached upon these subjects to the people. It was therefore necessary to take the education of the youth out of their hands, which could not be done any other way at present; but in all future elections they returned to the statutes.—It has been said farther, that it

\* Appeal, p. 72.

† Introduction to Sufferings of the Clergy, p. 114.

‡ Sufferings of the Clergy, p. 163.

was a great loss to learning, because those who succeeded were not equal to those who were ejected\*. Had this been true, it is no sufficient reason for keeping them in their places, in a time of war, if they were enemies to the constitution and liberties of their country. But the best way of determining the question as to their learning, is by comparing their respective characters.

Dr. Cosins had been sequestered by the parliament in the year 1640, for his high principles, and was retired to France, where he continued till the Restoration, and was then preferred to the rich bishoprick of Durham: he was a learned man, of an open, frank, and generous temper, and well versed in the canons, councils, and and fathers†.

Dr. Paske lived peaceably and cheerfully under the parliament, and was reinstated in all his livings at the Restoration, except the mastership of his college, which he quitted to his son. The *Querela Cantab.* says, he was eminent for learning; but I do not remember that he has given any specimens of it to the world‡.

Dr. Laney was first chaplain to Dr. Neil, and afterward prebendary of Westminster; he was one of the king's divines at the treaty of Uxbridge, and attended upon king Charles II. in his exile; after the Restoration he was successively bishop of Peterborough, Lincoln, and Ely, and was more favourable to the Non-conformists than some of his brethren. He has some sermons extant, and a small treatise against Hobbes.

Dr. Collins was regius professor, provost of King's college, and rector of Fenny-Ditton; of which last he was deprived by the earl of Manchester, for his steady adherence to the royal cause. He kept his provostship till the year 1645, and his professorship much longer. He died in the year 1651, and had the reputation of a great scholar, says Dr. Barwick, and his name was famous in foreign universities, though he has transmitted very little down to posterity§.

Dr. Martin was one of archbishop Laud's chaplains, and one of Mr. White's scandalous ministers; he was accused not only of practising the late innovations, and of being in the scheme of reconciling the church of England with Rome; but of stealing wheat-sheaves out of the field in harvest on the sabbath-day, and in laying them to his tithe stock. He was very high in his principles, and was imprisoned for sending the university-plate to the king. After his enlargement, he retired to France, and at the Restoration was preferred to the deanery of Ely. Lloyd says he was a godly man, and excellently well skilled in the canon, civil, and common law; but Mr. Prynne gives him a very indifferent character; and bishop Kennet acknowledges his principles were rigid, and his temper sour||.

\* Walker's Attempt, p. 114.

† Sufferings of the Clergy, p. 68.

‡ Ibid. p. 153. Calamy's Abridg. p. 173.

§ Sufferings of the Clergy, p. 150.

|| Kennet's Chronicle, p. 670.



Dr. Stern was another of archbishop Laud's chaplains, and imprisoned for the same reason as the former. He afterward assisted the archbishop on the scaffold, and lived retired till the Restoration, when he was made bishop of Carlisle, and in 1664 archbishop of York\*. He had a sober, honest, mortified aspect, but was of very arbitrary principles, and a very uncharitable temper; for when Mr. Baxter, at the Savoy conference, was entreating the bishops not to cast out so many ministers in the nation, he made this mean remark to his brethren, that Mr. Baxter would not use the word kingdom lest he should own a king†.

Dr. Beale was also imprisoned for sending the university-plate to the king; after his enlargement he retired to Oxford, and was one of the preachers before the court, but upon the declining of the king's cause, he retired to Madrid, where he died about the year 1651. He was a man of very high principles; though, if we may believe the Querela, a person of such worth, as rendered him above the reach of commendation‡.

Dr. Comber was another of the king's chaplains, though imprisoned and deprived, for sending the university-plate to the king; after his enlargement he lived privately till the year 1654, when he died; he was a learned man, and of great piety and charity.

Dr. Holdsworth had been a celebrated preacher in the city of London, and divinity-professor in Gresham-college; he was afterward chosen master of Emanuel-college, Cambridge, and was a zealous advocate for the king, for which he was some time under confinement. He attended his majesty at Hampton-court and the Isle of Wight, and soon after died with grief. He was a pious and charitable man, but high in his principles, and of a hasty passionate temper. He published one sermon in his lifetime, and after his death his friends published his *Prelectiones*, and a volume of sermons.

Dr. Ward was one of the English divines at the synod of Dort, and nominated of the committee of divines that sat in the Jerusalem-chamber, and of the assembly at Westminster, though he never sat; he was a very learned man, and died soon after his ejection.

Dr. Brownrigge was installed bishop of Exeter 1642, and deprived of his mastership in the year 1645, for some expressions in his sermon upon the king's inauguration. He was an excellent man, and of a peaceable and quiet disposition; after the war he was allowed the liberty of the pulpit, and was chosen master of the Temple, where he died about the year 1659.

Far be it from me to detract from the personal merit of any of these sufferers, or from their rank in the commonwealth of learning; but their political principles, like those of archbishop Laud, were certainly inconsistent with the constitution and liberties of

\* *Sufferings of the Clergy*, p. 146.

† *Ibid.* p. 148.

England, and exposed them very naturally to the resentments of the parliament in these boisterous times.

Those who succeeded the ejected masters, having been first examined and approved by the assembly of divines at Westminster, were these:

Dr. Lazarus Seaman, a very considerable divine, according to Mr. Wood, a complete master of the oriental languages, an excellent casuist, and a judicious moving preacher. He was well versed in the controversy of church-government, which made the parliament send him with their commissioners to the Isle of Wight, where his majesty was pleased to take particular notice of his abilities\*. He was ejected out of his mastership of Peter-house in 1662, and died in 1675†. He printed several sermons, and "A Vindication of the Judgment of the Reformed Churches concerning Ordination."

Dr. Ralph Cudworth is so universally known in the learned world, for his great learning, which he discovered in his Intellectual System‡, that I shall only observe, he conformed at the Restoration, and a little before resigned his mastership of Clare-hall into the hands of Dr. Dillingham, who continued in it to his death.

Mr. Richard Vines was a very learned and excellent divine, a popular and laborious preacher, one of the parliament-divines at the treaty of the Isle of Wight, and a most industrious and useful man in his college. He was turned out of his mastership for refusing the engagement, and died before the Restoration.

Dr. Benjamin Whichcote was fellow of Emanuel-college, and upon the ejection of Dr. Collins preferred to the mastership of King's college, in which he continued till the Restoration; and then conformed. The account archbishop Tillotson gives of him is this; "that he was an excellent tutor and instructor of youth, and bred up many persons of quality and others, who afterward proved useful and eminent; that he contributed more to the forming the students to a sober sense of religion than any man of that age. He never took the covenant, and by his particular

\* Calamy's Abridgment, vol. 2. p. 16.

† He always carried about with him a small Plantin Hebrew Bible without points. He had a deep and piercing judgment in all points of controversial divinity: nor was he less able to defend than find out the truth. Upon the invitation of an honourable lady, who was the head of a noble family, and was often solicited by Romish priests to change her religion, he engaged two of the most able priests they could pick out in a dispute, in the presence of the lord and lady, for their satisfaction; and, by silencing them upon the head of transubstantiation, was instrumental to preserve that whole family stedfast in the Protestant religion. Dr. Grey acknowledges, on Mr. Wood's authority, that he was a learned man, and died much lamented by the brethren. Palmer's Nonconformists' Memorial, vol. 1. p. 77.—Ed.

‡ This work, distinguished by the excellence of its reasoning and the variety of its learning, was published to stem the torrent of irreligion and atheism that prevailed in the reign of Charles II. The author, who was superior to all his contemporaries in metaphysics, was father to the learned and accomplished lady Masham, of Oates in Essex, in whose house Mr. Locke spent the last fourteen years of his life. Granger's History of England, vol. 3. p. 283, 8vo.—Ed.



friendship and interest with some of the chief visitors, prevailed to have the greatest part of the fellows of his college exempted from that imposition\*.”

Mr. Herbert Palmer, B. D., was one of the university-preachers in 1632, and clerk in convocation for the diocese of Lincoln, at the beginning of this parliament; he was one of the assessors of the assembly of divines at Westminster, and on April 11, 1644, constituted master of Queen's college by the earl of Manchester †. He was very careful to appoint such persons for tutors of youth as were eminent for learning and piety; and being possessed of a good paternal estate, was unbounded in his liberality. He was a polite gentleman, a complete master of the French language, in which he could preach as well as in English; but his constitution being infirm, he died in the year 1647, when he was only forty-seven years of age ‡.

Dr. T. Young was an eminent member of the assembly of divines, says Mr. Clarke §, a man of great learning, of much prudence and piety, and of great ability and fidelity in the work of the ministry. He was a preacher at Duke's place in London, from whence he was preferred to the mastership of Jesus-college, where he behaved with great prudence and piety, till he was turned out for refusing the engagement. He was one of the authors of the pamphlet called *Smectymnuus*.

Dr. John Arrowsmith was fellow of Katherine-hall, and of an unexceptionable character for learning and piety. He was an acute disputant, and a judicious divine, as appears by his *Tactica Sacra*, a book of great reputation in those times. He died before the Restoration.

Dr. Thomas Hill was fellow of Emanuel-college, and one of the assembly of divines at Westminster. He was first constituted master of Emanuel, and afterward removed to Trinity-college, where he employed all his zeal in the advancement of knowledge and virtue, and in keeping up the college exercises. He was twice vice-chancellor, and as solicitous to preserve the honour and privilege of the university as any of his predecessors. He was a zealous Calvinist, and after about ten years' government of his college died in the year 1653 ||.

Dr. Anthony Tuckney had been vicar of Boston in Lincolnshire, from whence he was called up to sit in the assembly of divines at

\* “His notions of religion were, like his charity (says Mr. Granger), exalted and diffusive, and never limited by the narrow prejudices of sects and parties. He was disgusted with the dryness and foolishness of preaching that prevailed in his time; and encouraged the young students of his college to form themselves after the best models of Greece and Rome.” *History of England*, vol. 3. p. 283, 284, 8vo.

† Clarke's *Lives*, p. 183, annexed to his *General Martyrology*.

‡ What archbishop Laud urged in his defence at his trial, as an instance of his impartiality, ought to be mentioned here to his credit: namely, that he presented Mr. Palmer, though professedly of Puritan principles, on account of his excellent character, to the vicarage of Ashwell in Hertfordshire, in 1632. *Granger's History of England*, vol. 2. p. 183, 8vo.—Ed.

§ Clarke's *Lives*, p. 194.

|| *Ibid.* p. 130, *ut ante*.

Westminster. In the year 1645, he was constituted master of Emanuel-college \*. In 1653, he was chosen master of St. John's, and upon the death of Dr. Arrowsmith, regius professor of Oxford, which place he enjoyed till the Restoration; when king Charles II., by letter under the hand of secretary Nicholas, ordered him to resign, promising him, in consideration of his great pains and diligence in discharge of his duty, 100*l.* per annum, which was paid by his successor till his death, in the year 1671. He left behind him the character of a pious and learned man, an indefatigable student, a candid disputant, and a zealous promoter of truth and piety. He published some practical treatises in his life; and his *Prelectiones Theologicæ*, with a volume of sermons, were printed after his death †.

Dr. Richard Minshull was fellow of Sidney-college, and upon the death of Dr. Ward chosen regularly, according to the statutes, into the vacant mastership, and continued therein till the Restoration, when he conformed, and was confirmed in his place, which he filled with reputation till his death.

Dr. William Spurstow, one of the assembly of divines, and one of the commissioners at the Savoy in the year 1662 ‡, was a person of good learning, of a peaceable and quiet disposition, and of great humility and charity. He was turned out of his mastership of Katherine-hall for refusing the engagement, and was succeeded by the famous

Dr. Lightfoot, the most complete master of oriental learning of his age; the doctor enjoyed this mastership, with the sequestered living of Muchmunden, given him by the assembly of divines, till the Restoration, when he would have resigned it back into the hands of Dr. Spurstow, but he declining it Lightfoot conformed, and upon his application to the king was confirmed in both his preferments till his death. His works were published by Mr. Strype in two volumes folio.

If it should be granted, that the new professors were not at first so expert in the learning of the schools as their predecessors, that defect was abundantly supplied by their application and diligence in their places, and by their observing a very strict and severe discipline; the tutors were constant in reading lectures not only in term-time, but out of it; the proctors and other officers had a strict eye over the students to keep them within bounds, and oblige them to be present at morning and evening prayer. The Lord's day was observed with uncommon rigour; there were

\* Calamy's Abridgment, p. 77.

† Dr. Tuckney was also vice-chancellor of the university of Cambridge, and after the Restoration was appointed one of the commissioners at the conference held at the Savoy. His modesty was as distinguished as his learning. He presided over his college, which never flourished more than under his government, with great prudence and ability; and is said to have shewn more courage in maintaining the rights and privileges of the university in the lawless time in which he lived, than any of the heads of houses at Cambridge. Granger's History of England, vol. 3. p. 305, 306, 8vo.—Ed.

‡ Calamy's Abridgment, vol. 2. p. 471.



sermons and prayers in all the churches and chapels both morning and afternoon. Vice and profaneness were banished, insomuch that an oath was not to be heard within the walls of the university; and if it may be said without offence, the colleges never appeared more like nurseries of religion and virtue than at this period\*. The noble historian confesses, the university of Oxford flourished as much in learning and learned men at the Restoration, as before the civil wars, which is equally true of Cambridge. And it ought to be remembered, that most of the considerable divines and philosophers who flourished in the reigns of king Charles II. and king William III. owed their education to the tutors of those times, for whom they always retained a great veneration.

Though the form of inducting the new masters was not according to the statutes (as has been observed), because of the distraction of the times, it is evident this was not designed to be a precedent for their successors, as appears by the manner of their investiture, which was this: Mr. Lazarus Seaman having been examined and approved by the assembly of divines at Westminster, the earl of Manchester came in person into the chapel of Peter-house, April 11, and did there declare and publish Mr. Lazarus Seaman to be constituted master of the said Peter-house, in the room of Dr. Cosins, late master, who had been justly and lawfully ejected; requiring Mr. Seaman to take upon him that office, putting him into the master's seat, and delivering to him the statutes of the college in token of his investiture, straitly charging the fellows, &c. to acknowledge and yield obedience to him, "notwithstanding he was not elected, nor admitted according to the ordinary course prescribed by the said statutes in this time of distraction and war, there being a necessity of reforming, as well the statutes themselves, as the members of the said house†." The earl then gave him an instrument under his hand and seal to the same effect, and administered him an oath or protestation, which he took in the following words:

"I do solemnly and seriously promise, in the presence of Almighty God, the searcher of all hearts, that during the time of my continuance in this charge, I shall faithfully labour to promote learning and piety in myself, the fellows, scholars, and students, that do or shall belong to the said college, agreeably to the late solemn national league and covenant, by me sworn and subscribed, with respect to all the good and wholesome statutes of the said college and of the university, correspondent to the said covenant: and by all means to procure the good, welfare, and perfect reformation, both of the college and university, so far as to me appertaineth."

The other masters were introduced into their several chairs after the same solemn manner, their warrants bearing date the

\* Calamy's Abridgment, vol. 3. p. 74. † Sufferings of the Clergy, p. 114, 115.

11th, 12th, or 13th, of April, 1644; but the clause of the covenant was omitted by those who did not take it, as in the case of Dr. Whichcote, and others.

The vacant fellowships being more numerous were not so quickly filled, though the earl took the most prudent method in that affair; April 10, he directed a paper to the several colleges, declaring that "his purpose was forthwith to supply the vacant fellowships, and desiring that if there were any in the respective colleges, who in regard of degree, learning, and piety, should be found fit for such preferment, they would, upon receipt of that paper, return him their names, in order to their being examined by the assembly, and invested in them." The persons thus examined and presented, were constituted fellows by warrant under the hand and seal of the earl of Manchester, to the heads of the several colleges, in the following form:

"Whereas A. B. has been ejected out of his fellowship in this college; and whereas C. D. has been examined and approved by the assembly of divines, these are therefore to require you to receive the said C. D. as fellow in the room of A. B. and to give him place according to his seniority in the university, in preference to all those that are, or shall hereafter be, put in by me\*."

I have before me the names of fifty-five persons†, who, after they had been examined by the assembly, were presented to the vacant fellowships, in the compass of the year 1644; and within six months more all the vacancies were in a manner supplied, with men of approved learning and piety.

From this time the university of Cambridge enjoyed a happy tranquillity; learning flourished, religion and good manners were promoted, at a time when the rest of the nation was in blood and confusion. And though this alteration was effected by a mixture of the civil and military power, yet in a little time things reverted to their former channel, and the statutes of the university were as regularly observed as ever. Let the reader now judge the candour and impartiality of the famous Dr. Barwick, author of the *Querela Cantabrigiensis*, whose words are these: "Thus the knipperdolings of the age reduced a glorious and renowned university almost to a mere Munster, and did more in less than three years, than the apostate Julian could effect in his reign, viz. broke the heartstrings of learning, and all learned men, and thereby luxated all the joints of Christianity in this kingdom. We are not afraid to appeal to any impartial judge, whether if the Goths and Vandals, or even the Turks themselves, had overrun this nation, they would have more inhumanly abused a flourishing university, than these pretended advancers of religion have done? Having thrust out one of the eyes of this kingdom, made eloquence dumb, philosophy sottish; widowed the arts, drove the muses from their ancient habitation, plucked the reverend and orthodox professors

\* Sufferings of the Clergy, p. 114, 115.

† MS. *penes me*.



out of the chairs, and silenced them in prison or their graves; turned religion into rebellion; changed the apostolical chair into a desk for blasphemy; tore the garland from off the head of learning to place it on the dull brows of disloyal ignorance, and unhived those numerous swarms of labouring bees, which used to drop honey-dews over all this kingdom, to place in their room swarms of senseless drones.\* Such was the rant of this reverend clergyman; and such the language and the spirit of the ejected loyalists!

While the earl was securing the university to the parliament, he appointed commissioners for removing scandalous ministers in the seven associated counties, empowering them to act by the following warrant:

“ March 15, 1644.

“ By virtue of an ordinance of both houses of parliament, bearing date January 22, 1643-4, I do authorize and appoint you, ———, or any five of you, to call before you all ministers or schoolmasters within the counties of ———, that are scandalous in their lives, or ill-affected to the parliament, or fomenters of this unnatural war; or that shall wilfully refuse obedience to the ordinances of parliament; or that have deserted their ordinary places of residence, not being employed in the service of the king and parliament, with full power and liberty to send for any witnesses, and to examine complaints upon oath. And you are to certify the names of ministers, with the charge and proof against them, to me†.”

It is to be observed, that the warrant is pointed only against those who are immoral, or disaffected to the parliament, or had deserted their cures; and was accompanied with instructions, and a letter, exhorting them to the faithful and effectual discharge of the trust. The instructions were to this effect:—

First, “ That they should be speedy and effectual in executing the ordinances, and sit in such places within the county that all parties, by the easiness of access, may be encouraged to address themselves to them with their complaints.

Secondly, “ That they should issue their warrants, to summon before them such ministers and witnesses, as the articles preferred against them should require.

Thirdly, “ That the party accused should not be present at the taking the depositions, because of discountenancing the witnesses, and disturbing the service‡; but when the depositions were taken upon oath the party accused should have a copy, and have a day

\* *Quercus*, Pref. p. 2, 26, 27. *Walker's Attempt*, p. 115.

† *Sufferings of the Clergy*, p. 117.

‡ This was owing to the insolent and unmanly behaviour of some of the clergy before the commissioners; for the ordinance of September 6, 1643, appoints, that the witnesses shall be examined in their presence; and that sufficient warning shall be given of the time and place where the charge against them should be proved.

given him to return his answer in writing, and to make his defence within fourteen days, or thereabouts.

Fourthly, "They were to return both the accusation and defence to Mr. Good and Mr. Ashe, the earl's chaplains, and upon such receipts they should have farther directions.

Fifthly, "If the party accused would not appear to make his defence, they were to certify the cause of his absence, because if they were non-residents, or in arms against the parliament, the earl would proceed against them\*.

Sixthly, "It being found by experience, that parishioners were not forward to complain of their ministers, though very scandalous; some being enemies to the intended reformation, and others sparing their ministers, because they favoured them in their tithes, and were therefore esteemed quiet men; therefore they were required to call unto them some well-affected men within every hundred, who, having no private engagements, were to be encouraged by the committees to inquire after the doctrines, lives, and conversations, of all ministers and schoolmasters, and to give information what could be deposed, and who could depose the same.

Seventhly, "Each commissioner shall have five shillings for every day he sits; and the clerk to receive some pay, that he might not have occasion to demand fees for every warrant or copy, unless the writings were very large.

Eighthly, "Upon the ejecting of any scandalous or malignant ministers, they were to require the parishioners to make choice of some fit and able person to succeed, who was to have a testimonial from the well-affected gentry and ministry; and to take particular care that no Anabaptist, or Antinomian, be recommended.

Ninthly, "They were to certify the true value of each living: as also the estate, livelihood, and charge, of children, which the accused person had, for his lordship's direction in the assignment of the fifths. And,

Lastly, "They were to use all other proper ways and methods for speeding the service."

With these instructions the earl sent an exhortation by letter in the following words:

"Gentlemen,

"I send you by this bearer a commission, with instructions for executing the ordinance, &c. within your county. I neither doubt of your abilities nor affections to further this service, yet according to the great trust reposed in me herein by the parliament, I must be earnest with you to be diligent therein. You know how much the people of this kingdom have formerly suffered in their persons, souls, and estates, under an idle, ill-affected, scandalous, and insolent clergy, upheld by the bishops; and you cannot but foresee, that their pressures and burdens will still con-

\* Husband's Collections, p. 311.



preferments he enjoyed, says Dr. Walker, or was entitled to, together, and his name is repeated in the several places. By such a calculation it is easy to deceive the reader, and swell the account beyond measure. The reverend Mr. Withers\*, a late Nonconformist minister at Exeter, has taken care to make an exact computation in the associated counties of Suffolk, Norfolk, and Cambridgeshire, in which are one thousand three hundred and ninety-eight parishes, and two hundred and fifty-three sequestrations; so that if these may be reckoned as a standard for the whole kingdom, the whole number will be reduced considerably under two thousand. He has also made another computation from the county of Devon, in which are three hundred and ninety-four parishes, and one hundred and thirty-nine sequestrations, out of which thirty-nine are deducted for pluralities, &c.; and then by comparing this county, in which both Dr. Walker and Mr. Withers lived, with the rest of the kingdom, the amount of sufferers, according to him, is one thousand seven hundred and twenty-six; but admitting they should arise to the number of the doctor's names in his index, which are about two thousand four hundred, yet when such were deducted as were fairly convicted, upon oath, of immoralities of life, &c. (which were a fourth in the associated counties), and all such as took part with the king in the war, or disowned the authority of the parliament; preaching up doctrines inconsistent with the cause for which they had taken arms, and exciting the people to an absolute submission to the authority of the crown, the remainder that were displaced only for refusing the covenant, must be very inconsiderable. Mr. Baxter says, they cast out the grosser sort of insufficient and scandalous clergy, and some few civil men that had acted in the wars for the king, and set up the late innovations, but left in near one half of those that were but barely tolerable. He adds farther, "that in all the counties in which he was acquainted six to one at least, if not more, that were sequestered by the committees, were by the oaths of witnesses proved insufficient, or scandalous, or both†."

But admitting their numbers to be equal to those Puritan ministers ejected at the Restoration, yet the cause of their ejection, and the circumstances of the times, being very different, the sufferings of the former ought not to be compared to the latter; though Dr. Walker is pleased to say in his preface, that "if the sufferings of the dissenters bear any tolerable proportion to those of the ejected loyalists, in number, degrees, or circumstances, he will be gladly deemed not only to have lost all his labour, but to have revived a great and unanswerable scandal on the cause he has undertaken to defend." I shall leave the reader to pass his own judgment upon this declaration, after I have produced the testimony of one or two divines of the church of England. "Who can answer (says one) for the violence and injustice of actions in a

\* Appendix to his Reply to Mr. Agate, p. 27, 28.

† History of Life and Times, p. 74.

civil war? Those sufferings were in a time of general calamity, but these [in 1662] were ejected not only in a time of peace, but a time of joy to all the land, and after an act of oblivion, to which common rejoicing these suffering ministers had contributed their earnest prayers, and great endeavours\*.”—“I must own (says another of the doctor’s correspondents) that though both sides have been excessively to blame, yet that the severities used by the church to the dissenters are less excusable than those used by the dissenters to the church; my reason is, that the former were used in time of peace, and a settled government, whereas the latter were inflicted in a time of tumult and confusion, so that the plundering and ravaging endured by the church-ministers were owing, many of them at least, to the rudeness of the soldiers, and the chances of war; they were plundered not because they were Conformists, but cavaliers, and of the king’s party†.” The case of those who were sober and virtuous, seems to be much the same with the nonjurors at the late revolution of king William III.; and I readily agree with Mr. Fuller, that “moderate men bemoaned these severities, for, as much corruption was let out by these ejectments (many scandalous ministers being deservedly punished), so at the same time the veins of the English church were also emptied of much good blood‡.”

We have already observed, that a fifth part of the revenues of these ejected clergymen was reserved for the maintenance of their poor families, “which was a Christian act, and which I should have been glad (says the divine above mentioned) to have seen imitated at the Restoration§.” Upon this the cavaliers sent their wives and children to be maintained by the parliament-ministers, while themselves were fighting for their king. The houses therefore ordained, September 8, 1645, that the fifths should not be paid to the wives and children of those who came into the parliament-quarters without their husbands or fathers, or who were not bred in the Protestant religion||. Yet when the war was over, all were allowed their fifths, though in some places they were ill paid, the incumbent being hardly able to allow them, by reason of the smallness of his living, and the devastation of the war. When some pretended to excuse themselves on the forementioned exceptions, the two houses published the following explanation, November 11, 1647, viz. “that the wives and children of all such persons whose estates and livings are, have been, or shall be, sequestered by order of either house of parliament, shall be comprehended within the ordinance which allows a fifth part for wives and children, and shall have their fifth part allowed them: and the committee of lords and commons for sequestrations, and the committees for plundered ministers, and all other ministers, are

\* Conform. First Plen, p. 12, 13.

† Calamy’s Church and Dissenters compared, p. 23, 24.

‡ Church History, p. 207.

§ Calamy’s Ch. and Diss. comp. p. 24.

|| Husband’s Collections, p. 726.



required to take notice hereof, and yield obedience hereunto\*." Afterward, when it was questioned whether the fifths should pay their proportion of the public taxes, it was ordained, that the incumbent only should pay them. Under the government of the protector Cromwell it was ordained, that if the ejected minister left the quiet possession of his house and glebe to his successor within a certain time, he should receive his fifths, and all his arrears, provided he had not a real estate of his own of 30*l.* per annum, or 500*l.* in money.

After all, it was a hard case on both sides; the incumbents thought it hard to be obliged to all the duties of their place, and another to go away with a fifth of the profit, at a time when the value of church-lands was considerably lessened by the neglect of tillage, and exorbitant taxes laid upon all the necessaries of life. To which may be added, an opinion that began to prevail among the farmers, of the unlawfulness of paying tithes: Mr. Selden had led the way to this in his book of tithes, whereupon the parliament, by an ordinance of November 8, 1644, "strictly enjoined all persons fully, truly, and effectually, to set out, yield, and pay respectively, all and singular tithes, offerings, oblations, obventions, rates for tithes, and all other duties commonly known by the name of tithes." Others who had no scruple about the payment of tithes, refused to pay them to the new incumbent, because the ejected minister had the legal right; insomuch that the Presbyterian ministers were obliged in many places to sue their parishioners, which created disturbances and divisions, and at length gave rise to several petitions from the counties of Buckingham, Oxford, Hertford, &c. praying, that their ministers might be provided for some other way. The parliament referred them to a committee, which produced no redress, because they could not fix upon another fund, nor provide for the lay-impropriations.

#### CHAPTER IV.

OF THE SEVERAL PARTIES IN THE ASSEMBLY OF DIVINES,—PRESBYTERIANS, ERASTIANS, INDEPENDENTS. THEIR PROCEEDINGS ABOUT ORDINATION, AND THE DIRECTORY FOR DIVINE WORSHIP. THE RISE, PROGRESS, AND SUFFERINGS OF THE ENGLISH ANTIPÆDOBAPTISTS.

BEFORE we proceed to the debates of the assembly of divines, it will be proper to distinguish the several parties of which it was constituted†. The episcopal clergy had entirely deserted it

\* Sufferings of the Clergy, p. 100.

† The name of Puritans is from this time to be sunk; and they are for the future to be spoken of under the distinction of Presbyterians, Erastians, and Independents, who had all their different views. Dr. Warner's Ecclesiastical History, vol. 2. p. 561.—ED.

before the bringing in of the covenant, so that the establishment was left without a single advocate. All who remained were for taking down the main pillars of the hierarchy, before they had agreed what sort of building to erect in its room.

The majority at first intended only the reducing episcopacy to the standard of the first or second age, but for the sake of the Scots alliance, they were prevailed with to lay aside the name and function of bishops, and attempt the establishing a presbyterial form, which at length they advanced into *jus divinum*, or a divine institution, derived expressly from Christ and his apostles. This engaged them in so many controversies, as prevented their laying the top stone of the building, so that it fell to pieces before it was perfected. The chief patrons of presbytery in the house of commons, were, Denzil Hollis, esq. sir William Waller, sir Philip Stapleton, sir John Clotworthy, sir Benjamin Rudyard, serjeant Maynard, colonel Massey, colonel Harley, John Glynn, esq. and a few others.

The Erastians formed another branch of the assembly, so called from Erastus, a German divine of the sixteenth century. The pastoral office according to him was only persuasive, like a professor of the sciences over his students, without any power of the keys annexed \*. The Lord's Supper, and other ordinances of the gospel, were to be free and open to all. The minister might dissuade the vicious and unqualified from the communion, but might not refuse it, or inflict any kind of censure; the punishment of all offences, either of a civil or religious nature, being reserved to the magistrate. The pretended advantage of this scheme was, that it avoided the erecting *imperium in imperio*, or two different powers in the same civil government; it effectually destroyed all that spiritual jurisdiction and coercive power over the consciences of men, which had been challenged by popes, prelates, presbyteries, &c. and made the government of the church a creature of the state. Most of our first reformers were so far in these sentiments, as to maintain that no one form of church-government is prescribed in Scripture as an invariable rule for future ages; as, Cranmer, Redmayn, Cox, &c. and archbishop Whitgift, in his controversy with Cartwright, delivers the same opinion; "I deny (says he) that the Scripture has set down any one certain form of church-government to be perpetual."—Again, "It is well known, that the manner and form of government expressed in the Scriptures, neither is now, nor can, nor ought to be, observed, either touching persons or functions.—The charge of this is left to the magistrate, so that nothing be contrary to the word of God. The government of the church must be according to the form of government in the commonwealth." The chief patrons of this scheme in the assembly were, Dr. Lightfoot, Mr. Colman, Mr. Selden, Mr. Whitelocke; and in the house of com-

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\* Baxter's Life, p. 139.



mons, besides Selden and Whitelocke, Oliver St. John, esq. sir Thomas Widdrington, John Crew, esq. sir John Hipsley, and others of the greatest names.

The Independents, or congregational brethren, composed a third party, and made a bold stand against the proceedings of the high Presbyterians; their numbers were small at first, though they increased prodigiously in a few years, and grew to a considerable figure under the protectorship of Oliver Cromwell.

We have already related their original, and carried on their history till they appeared in public about the latter end of the year 1640. The divines who passed under this denomination in the assembly, had fled their country in the late times, and formed societies according to their own model in Holland, upon the States allowing them the use of their churches, after their own service was ended, with liberty of ringing a bell to public worship. Here, as they declare, they set themselves to consult the Holy Scriptures as impartially as they could, in order to find out the discipline that the apostles themselves practised in the very first age of the church; the condition they were in, and the melancholy prospect of their affairs affording no temptation to any particular bias. The rest of their history, with their distinguishing opinions, I shall draw from their Apologetical Narration, published in 1643, and presented to the house of commons.

"As to the church of England (say they) we profess, before God and the world, that we do apprehend a great deal of defilement in their way of worship, and a great deal of unwarranted power exercised by their church-governors, yet we allow multitudes of their parochial churches to be true churches, and their ministers true ministers. In the late times, when we had no hopes of returning to our own country, we held communion with them, and offered to receive to the Lord's supper some that came to visit us in our exile, whom we knew to be godly, upon that relation and membership they held in their parish-churches in England, they professing themselves to be members thereof, and belonging thereto. The same charitable disposition we maintained towards the Dutch churches among whom we lived. We mutually gave and received the right hand of fellowship, holding a brotherly correspondence with their divines, and admitting some of the members of their churches to communion in the sacrament, and other ordinances, by virtue of their relation to those churches \*."

The scheme they embraced was a middle way between Brownism and Presbytery, viz. that "every particular congregation of Christians has an entire and complete power of jurisdiction over its members, to be exercised by the elders thereof within itself. This they are sure must have been the form of government in the primitive church, before the numbers of Christians in any

\* Apologet. Narr. of the Independents, p. 78.

city were multiplied so far as to divide into many congregations, which it is dubious, whether it was the fact in the apostles' times \*.

"Not that they claim an entire independency with regard to other churches, for they agree that in all cases of offence, the offending church is to submit to an open examination, by other neighbouring churches, and on their persisting in their error of miscarriage, they then are to renounce all Christian communion with them, till they repent, which is all the authority or ecclesiastical power that one church may exercise over another, unless they call in the civil magistrate, for which they find no authority in Scripture †.

"Their method of public worship in Holland was the same with other Protestants; they read the Scriptures of the Old and New Testament in their assemblies, and expounded them on proper occasions; they offered up public and solemn prayers for kings, and all in authority; and though they did not approve of a prescribed form, they admitted that public prayer in their assemblies ought to be framed by the meditation and study of their ministers, as well as their sermons; the word of God was constantly preached; the two sacraments, of baptism to infants, and the Lord's supper, were frequently administered; to which was added, singing of psalms, and a collection for the poor every Lord's day.

"They profess their agreement in doctrine with the articles of the church of England, and other reformed churches.

"Their officers, and public rulers in the church, were pastors, teachers, ruling elders (not lay, but ecclesiastical persons, separated to that service,) and deacons.

"They practised no church-censures but admonition; and excommunication upon obstinate and impenitent offenders, which latter they apprehended should not be pronounced but for crimes of the last importance, and which may be reasonably supposed to be committed contrary to the light and conviction of the person's conscience.

"In conclusion, they call God and man to witness, that out of a regard to the public peace they had forbore to publish their peculiar opinions, either from the pulpit or press, or to improve the present disposition of the people to the increase of their party; nor should they have published that apology to the world, had not their silence been interpreted as an acknowledgment of those reproaches and calumnies that have been cast upon them by their adversaries; but should have waited for a free and open debate of their sentiments in the present assembly of divines, though they are sensible they shall have the disadvantage with regard to numbers, learning, and the stream of public interest; however, they are determined in all debates to yield to the utmost latitude

\* Apologet. Narr. of the Independents, p. 12, 15.

† Ibid. p. 18.



of their consciences, professing it to be as high a point of religion to acknowledge their mistakes when they are convinced of them, as to hold fast the truth; and when matters are brought to the nearest agreement, to promote such a temper as may tend to union, as well as truth\*.

"They therefore beseech the honourable houses of parliament, not to look upon them as disturbers of the public peace, but to consider them as persons that differ but little from their brethren; yea, far less than they do from what themselves practised three years ago. They beseech them likewise to have some regard to their past exile and present sufferings, and upon these accounts to allow them to continue in their native country, with the enjoyment of the ordinances of Christ, and an indulgence in some lesser differences, as long as they continue peaceable subjects.

"Signed by,

"Thos. Goodwin, Sydrach Simpson, Philip Nye,  
Jer. Burroughs, William Bridge†."

The reverend Mr. Herle, afterward prolocutor of the assembly, in his *imprimatur* to this Apology, calls it a performance full of peaceableness, modesty, and candour; and though he wrote against it, yet in his preface to his book entitled "The independency upon Scripture of the independency of churches," says, "The difference between us and our brethren who are for independency, is nothing so great as some may conceive; at most it does but ruffle the fringe, not any way rend the garment, of Christ; it is so far from being a fundamental, that it is scarce a material difference." The more rigid Presbyterians attacked the Apology with greater severity; swarms of pamphlets were published against it in a few months, some reflecting on the persons of the apologists, and others on their principles, as tending to break the uniformity of the church, under the pretence of liberty of conscience. The most furious adversaries were, Dr. Bastwick, old Mr. Vicars, and Mr. Edwards, minister of Christ-church, London, who printed an *Antapologia*, of three hundred pages in quarto, full of such bitter invectives, that the pacific Mr. Burroughs said, "he questioned whether any good man ever vented so much malice against others, whom he acknowledged to be pious and religious persons." But we shall have occasion to remember this gentleman hereafter.

Lord Clarendon and Mr. Echard represent the Independents as ignorant and illiterate enthusiasts; and though Mr. Rapin confesses‡, he knew nothing of their rise and progress, he has painted them out in the most disadvantageous colours, affirming "that their principles were exceeding proper to put the kingdom into a flame; that they abhorred monarchy, and approved of none but a republican government, and that as to religion, their principles were contrary to all the rest of the world; that they

\* *Apology*, Num. of the Independents, p. 24, 25, 27.

† *Ibid.* p. 30.

‡ Vol. 2, p. 524, folio.

would not endure ordinary ministers in the church, but every one among them prayed, preached, admonished, and interpreted Scripture, without any other call than what himself drew from his supposed gifts and the approbation of his hearers."

It is surprising so accurate an historian should take such liberties with men whose principles he was so little acquainted with, as to say, the Independents abhorred monarchy, and approved of none but a republican government; whereas they assure the world in their *Apology*, that they prayed publicly for kings, and all in authority. This was no point of controversy between them and the Presbyterians, for when they had the king in their custody they served him on the knee, and in all probability would have restored him to the honours of his crown, if he had complied with their proposals. When they were reproached with being enemies to magistracy, a declaration was published by the congregational societies in and about London, in the year 1647, wherein they declare, "that as magistracy and government in general are the ordinance of God, they do not disapprove of any form of civil government, but do freely acknowledge, that a kingly government, bounded by just and wholesome laws, is both allowed by God, and a good accommodation unto men\*." And if we may believe Dr. Welwood,† when the army resolved to set aside the present king, the governing party would have advanced the duke of Gloucester to the throne, if they could have done it with safety. With regard to religion, Rapin adds, their principles were contrary to all the rest of the world; and yet they gave their consent to all the doctrinal articles of the assembly's confession of faith, and declared in their *Apology* their agreement with the doctrinal articles of the church of England, and with all the Protestant reformed churches in their *Harmony of Confessions*, differing only about the jurisdiction of classes, synods, and convocations, and the point of liberty of conscience.—Our historian adds, that "they were not only averse to episcopacy, but would not endure so much as ordinary ministers in the church. They maintained, that every man might pray in public, exhort his brethren, and interpret Scripture, without any other call than what himself drew from his zeal and supposed gifts, and without any other authority than the approbation of his hearers." Here his annotator Mr. Tindal rightly observes, that he has mistaken the Independents for the Brownists; the Independents had their stated officers in the church for public prayer, preaching, and administering the sacraments, as pastors, teachers, and elders (who were ecclesiastics,) and deacons to take care of the poor; nor did they admit of persons unordained to any office, to exercise their gifts publicly, except as probationers, in order to their devoting themselves to the ministry. The words of their confession are,

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† *Memoirs*, p. 90, 1718.

"The work of preaching is not so peculiarly confined to pastors and teachers, but that others also gifted, and fitted by the Holy Ghost for it, and approved (being by lawful ways and means, by the providence of God, called thereunto,) may publicly, ordinarily, and constantly, perform it, so that they give themselves up thereunto \*." It is necessary the reader should make these remarks, to rectify a train of mistakes which runs through this part of Mr. Rapin's history, and to convince him, that the king's death was not owing to the distinguishing tenets of any sect or party of Christians. There were indeed some republicans and levellers in the army, whose numbers increased after they despaired of bringing the king into their measures, and it is well known that at their first appearance, Cromwell by his personal valour suppressed them with the hazard of his life. These were chiefly Anabaptists, and proved as great enemies to the protector as they had been to the king. But there is nothing in the principles of the Presbyterians, Independents, or Anabaptists, as far as I can learn, inconsistent with monarchy, or that had a natural tendency to put the kingdom into a flame.

Mr. Baxter, who was no friend to the Independents, and knew them much better than the above-mentioned writers, admits, "that most of them were zealous, and very many learned, discreet, and pious, capable of being very serviceable to the church, and searchers into Scripture and antiquity †;" though he blames them on other occasions, for making too light of ordination; for their too great strictness in the qualification of church-members; for their popular form of church-government; and their too much exploding of synods and councils; and then adds, "I saw commendable care of serious holiness and discipline in most of the Independent churches; and I found that some episcopal men, of whom archbishop Usher was one, agreed with them in this, that every bishop was independent, and that synods and councils were not so much for government as concord." And I may venture to declare, that these are the sentiments of almost all the Protestant Nonconformists in England at this day.

There was not one professed Antipædobaptist in the assembly, though their sentiments began to spread wonderfully without doors. Their teachers were for the most part illiterate, yet Mr. Baxter says ‡, "he found many of them sober, godly, and zealous, not differing from their brethren but as to infant baptism." These joining with the Independents in the points of discipline and toleration, made them the more considerable, and encouraged their opposition to the Presbyterians, who were for establishing their own discipline, without regard to such as differed from them.

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\* Savoy Conference, 4to. p. 24, art. 14.

† Baxter's Life, p. 140, 143.

‡ Life, p. 40.



It is not to be wondered, that so many parties with different views should entangle the proceedings of this venerable body, and protract the intended union with the Scots; though as soon as the covenant was taken, they entered upon that affair, the parliament having sent them the following order, dated October 12, 1643.

"Upon serious consideration of the present state of affairs, the lords and commons assembled in this present parliament do order, that the assembly of divines and others do forthwith confer, and treat among themselves, of such a discipline and government as may be most agreeable to God's holy word, and most apt to procure and preserve the peace of the church at home, and a nearer agreement with the church of Scotland, &c. to be settled in this church instead of the present church-government by archbishops, bishops, &c. which it is resolved to take away; and to deliver their advice touching the same to both houses of parliament with all convenient speed."

Hereupon the assembly set themselves to inquire into the constitution of the primitive church, in the days of the apostles, which, being founded upon the model of the Jewish synagogues, gave the Lightfoots, the Seldens, the Colmans, and other masters of Jewish antiquities, an opportunity of displaying their superior learning, by new and unheard-of interpretations of Scripture, whereby they frequently disconcerted the warmer Presbyterians, whose plan of discipline they had no mind should receive the stamp of an apostolic sanction in the church of England\*.

It was undoubtedly a capital mistake in the proceedings of parliament, to destroy one building before they were agreed upon another. The ancient order of worship and discipline in the church of England was set aside above twelve months before any other form was appointed; during which time, no wonder sects and divisions arrived to such a pitch, that it was not in their power afterward to destroy them. Committees indeed were appointed to prepare materials for the debate of the assembly, some for discipline, and others for worship, which were debated in order, and then laid aside without being perfected, or sent up to parliament to be framed into a law. Nothing can be alleged in excuse of this, but their backwardness to unite with the Scots, or the prospect the parliament might yet have of an agreement with the king.

The first point that came upon the carpet was the ordination of ministers; which was the more necessary, because the bishops refused to ordain any who were not † in the interest of the crown: this gave occasion to inquire into the ancient right of presbyters to ordain without a bishop, which meeting with some opposition,

\* Lightfoot's Remains, in pref. p. 8.

† Bishop Hall complained, that he was violently restrained in his power of ordination. On this single instance Dr. Grey grounds a general assertion, that the bishops were prevented from ordaining by the rabble.—Ed.

which the people might stand or sit, kneeling not being thought—so proper a posture. The Presbyterians were for giving the power of the keys into the hands of the ministers and elders, as the Independents were to the whole brotherhood; but Lightfoot, Selden, Colman, and others, were for an open communion, to whom the parliament were most inclinable, for all they would yield was, that “the minister immediately before the communion should warn, in the name of Christ, all such as are ignorant, scandalous, profane, or that live in any sin or offence against their knowledge or conscience, that they presume not to come to that holy table, shewing them that he that eateth and drinketh unworthily, eateth and drinketh judgment to himself.” The prohibition of marriage in Lent, and the use of the ring, are laid aside. In the visitation of the sick, no mention is made of private confession, or authoritative absolution. No service is appointed for the burial of the dead. All particular vestments for priests or ministers, and all saints’ days, are discarded. It has been reckoned a considerable omission, that the Directory does not enjoin reading the Apostles’ creed and the ten commandments; lord Clarendon reports\*, that when this was observed in private conversation at the treaty of Uxbridge, the earl of Pembroke said, he was sorry for the omission, but that upon a debate in the house of commons, it was carried in the negative by eight or nine voices. Which made many smile, says his lordship; but the jest will be lost, when the reader is informed, that the question in the house was not, whether the creed should be received or rejected, but whether it should be printed with the Directory for worship; it being apprehended more proper for a confession of faith; and accordingly the creed and ten commandments were added to the assembly’s confession, published a year or two forwards. The ordinance for establishing the Directory repeals and makes void the acts of Edward VI. and queen Elizabeth, by which the old liturgy was established, and forbids the use of it within any church, chapel, or place of public worship, in England or Wales, appointing the use of the Directory in its room; and thus it continued till the restoration of king Charles II. when the constitution being restored, the old liturgy took place again, the ordinance for its repeal having never obtained the royal assent.

It was a considerable time before this great revolution in the form of public worship took place over the whole kingdom. In some parts of the country the churchwardens could not procure a Directory, and in others they despised it, and continued the old Common Prayer-book; some would read no form, and others would use one of their own. In order, therefore, to give life to the Directory, the parliament next summer called in all Common Prayer-books, and imposed a fine upon those ministers who should read any other form than that contained in the Directory. The

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\* Clarendon, vol. 2. p. 588.



ordinance is dated August 23, 1645, and enacts, that "the knights and burgesses of the several counties of England and Wales, shall send printed books of the Directory fairly bound to the committee of parliament in their several counties, who shall deliver them to the officers of the several parishes in England and Wales, by whom they shall be delivered to the several ministers of each parish. It ordains farther, that the several ministers next Lord's day after their receiving the book of Directory, shall read it openly in their respective churches before morning sermon.—It then forbids the use of the Common Prayer-book in any church, chapel, or place of public worship, or in any private place or family, under penalty of 5*l.* for the first offence, 10*l.* for the second, and for the third a year's imprisonment. Such ministers as do not observe the Directory in all exercises of public worship shall forfeit 40*s.*; and they who, with a design to bring the Directory into contempt, or to raise opposition to it, shall preach, write, or print, any thing in derogation of it, shall forfeit a sum of money not under 5*l.* nor more than fifty, to be given to the poor. All Common Prayer-books remaining in parish-churches or chapels, are ordered within a month to be carried to the committee of the several counties, to be disposed of as the parliament shall direct\*."

These were the first-fruits of Presbyterian uniformity, and are equally to be condemned with the severities and oppressions of the late times; for though it should be admitted, that the parliament or legislature had a right to abrogate the use of the Common Prayer-book in churches, was it not highly unreasonable to forbid the reading it in private families or closets? Surely the devotion of a private family could be no disturbance to the public; nor is it any excuse to say, that very few suffered by it, because the law is still the same, and equally injurious to the natural rights of mankind.

Though his majesty's affairs were very desperate after the battle of Naseby, yet he had the courage to forbid the use of the new Directory, and enjoin the continuance of the Common Prayer, by a proclamation from Oxford, dated November 13, 1645, in which his majesty takes notice, that "the Book of Common Prayer, being a most excellent form of worship, grounded on the Holy Scriptures, is a great help to devotion, and tends to preserve a uniformity in the church of England; whereas the Directory gives liberty to ignorant, factious, and evil men, to broach their own fancies and conceits, and utter those things in their long prayers which no conscientious man can assent to; and be the minister never so pious, it breaks in upon the uniformity of public service. And whereas this alteration is introduced by an ordinance of parliament, inflicting penalties on offenders, which was never pretended to be in their power without our consent: now, lest our silence should be interpreted as a connivance in a matter so highly con-

\* Rushworth, part 4. vol. 1. p. 205.

cerning the worship of God, and the established laws of the kingdom, we do therefore require and command all ministers in all cathedral and parish churches, and all other places of public worship, that the said Book of Common Prayer be kept and used in all churches, chapels, &c. according to the statute *primo* Eliz., and that the Directory be in no sort admitted, received, or used; and whensoever it shall please God to restore us to peace, and the laws to their due course, we shall require a strict account, and prosecution against the breakers of the said law. And in the meantime, in such places where we shall come and find the Book of Common Prayer suppressed and laid aside, and the Directory introduced, we shall account all those that are aiders, actors, or contrivers therein, to be persons disaffected to the religion and laws established\*."

His majesty likewise issued out warrants under his own hand, to the heads of the university, commanding them to read divine service as usual, morning and evening; and assured his peers at Oxford, that he was still determined to live and die for the privileges of his crown, his friends, and church-government.

About this time the Anabaptists [or more properly, Antipædobaptists] began to make a considerable figure, and spread themselves into several separate congregations. We have already distinguished the German Anabaptists from the English, who differed only from their Protestant brethren about the subject and mode of baptism; these were divided into general and particular, from their different sentiments upon the Arminian controversy; the former appeared in Holland, where Mr. Smith their leader published a confession of faith in the year 1611, which Mr. Robinson, the minister of the Independent congregation at Leyden, answered in 1614; but the severity of those times would not admit them to venture into England. The particular Baptists were strict Calvinists, and were so called from their belief of the doctrines of particular election, redemption, &c. They separated from the Independent congregation about the year 1638, and set up for themselves under the pastoral care of Mr. Jesse, as has been related; and having renounced their former baptism, they sent over one of their number [Mr. Blunt] to be immersed by one of the Dutch Anabaptists of Amsterdam, that he might be qualified to baptise his friends in England after the same manner†. A strange and unaccountable conduct! for unless the Dutch Anabaptists could derive their pedigree in an uninterrupted line from the apostles, the first reviver of this usage must have been unbaptised, and, consequently, not capable of communicating the ordinance to others. Upon Mr. Blunt's return he baptised Mr. Blacklock, a teacher, and Mr. Blacklock dipped the rest of the society, to the number of fifty-three, in this present year 1644. "Presuming upon the patience of the state (says Dr. Featly) they have

\* Rushworth, part 4. vol. 1. p. 207.

† MS. penes.



rebaptised one hundred men and women together, in the twilight, in rivulets, and some arms of the Thames, and elsewhere, dipping them over head and ears. They have printed divers pamphlets in defence of their heresy (says the same author), and challenged some of our preachers to a disputation." Nay, so wonderfully did this opinion prevail, that there were no less than forty-seven congregations in the country; and seven in London at this time, who published a confession of their faith, signed in the name of their congregations, by William Kiffin, Thomas Pajience, George Tipping, John Spilbury, Thomas Sheppard, Thomas Munden, Thomas Gun, John Mabbet, John Webb, Thomas Kilcop, Paul Hobson, Thomas Gore, John Philips, and Edward Heath. In the year 1646, it was reprinted, with the additional names of Dennis le Barbier and Christopher Durell, minister of the French congregation in London, of the same judgment.

Their confession consisted of fifty-two articles, and is strictly Calvinistical in the doctrinal part, and according to the Independent discipline; it confines the subject of baptism to grown Christians, and the mode to immersion; it admits of gifted lay-preachers, and acknowledges a due subjection to the civil magistrate in all things lawful; and concludes thus, "We desire to live quietly and peaceably, as becomes saints, endeavouring in all things to keep a good conscience, and to do to every man, of what judgment soever, as we would they should do to us; that as our practice is, so it may prove us to be a conscionable, quiet, and harmless people (no way dangerous or troublesome to human society), and to labour to work with our hands, that we may not be chargeable to any, but to give to him that needeth, both friend and enemy, accounting it more excellent to give than to receive. Also we confess, that we know but in part: to shew us from the word of God that which we see not, we shall have cause to be thankful to God and them. But if any man shall impose upon us any thing that we see not to be commanded by our Lord Jesus Christ, we should, in his strength, rather embrace all reproaches and tortures of men; to be stripped of all our outward comforts, and, if it were possible, to die a thousand deaths, rather than to do any thing against the truth of God, or against the light of our own consciences. And if any shall call what we have said heresy, then do we with the apostle acknowledge, that after the way they call heresy so worship we the God of our fathers; disclaiming all heresies (rightly so called) because they are against Christ; and in desiring to be steadfast and immovable, always abounding in obedience to Christ; as knowing our labour shall not be in vain in the Lord."

When Dr. Featly had read this confession, he owned they were neither heretics nor schismatics, but tender-hearted Christians, upon whom, through false suggestions, the hand of authority had fallen heavy whilst the hierarchy stood.

The advocates of this doctrine were, for the most part, of the

meanest of the people; their preachers were generally illiterate, and went about the country making proselytes of all who would submit to immersion, without a due regard to their acquaintance with the principles of religion, or their moral characters. The writers of these times represent them as tinctured with a kind of enthusiastic fury against all that opposed them. Mr. Baxter says\*, "There were but few of them that had not been the opposers and troublers of faithful ministers—That in this they strengthened the hands of the profane, and that, in general, reproach of ministers, faction, pride, and scandalous practices, were fomented in their way†." But still there were among them some learned, and a great many sober and devout Christians, who disallowed of the imprudence of their country friends. The two most learned divines that espoused their cause were Mr. Francis Cornwall, M. A. of Emanuel-college, and Mr. John Tombes, B.D., educated in the university of Oxford, a person of incomparable parts, well versed in the Greek and Hebrew languages, and a most excellent disputant. He wrote several letters to Mr. Selden against infant-baptism, and published a Latin exercitation upon the same subject, containing several arguments, which he represented to the committee appointed by the assembly to put a stop to the progress of this opinion. The exercitation being translated into English, brought upon him a whole army of adversaries, among whom were the reverend Dr. Hammond, Dr. Holmes, Mr. Marshal, Fuller, Gere, Baxter, and others. The people of this persuasion were more exposed to the public resentments, because they would hold communion with none but such as had been dipped. All must pass under this cloud before they could be received into their churches; and the same narrow spirit prevails too generally among them even at this day.

Besides the above-mentioned writers, the most eminent divines in the city of London, as Mr. Vines, Calamy, and others, preached vigorously against these doctrines, which they had a right to do; though it was most unjustifiable to fight them at the same time with the sword of the civil magistrate‡, and shut them up in

\* Baxter's Life, p. 102. 144.

† We refer the reader, for a more full account of the Baptists of this period, to the Supplement in vol. 3, where their history will be given in greater detail, and continued without interruption. Suffice it to say here, that Mr. Baxter, great and excellent as he was, had his weaknesses and prejudices, for which much allowance must be made. Severe as is what he says above of the Baptists, he speaks of them, at other times, with more candour and respect. As p. 140 of his Life: "For the Anabaptists themselves (though I have written and said so much against them), as I found most of them were persons of zeal in religion, so many of them were sober, godly people: and differed from others but in the point of infant-baptism: or at most in the points of predestination, and free-will, and perseverance." It is to be regretted, on the ground of the justice due to this people and even to Mr. Baxter, that Mr. Neal should have overlooked or omitted this testimony so honourable to both.—Ed.

‡ Nothing, it is justly observed by Mr. Crosby, is more evident, than that the most distinguished of the Presbyterian divines preached and wrote against toleration and were strenuous advocates for the interference of the civil power to



prison, as was the case of several in this and the following year, among whom are reckoned the reverend Mr. Henry Denn, formerly ordained by the bishop of St. David's, and possessed of the living of Pyeton in Hertfordshire; Mr. Coppe, minister in Warwickshire, and sometime preacher to the garrison in Compton-house; Mr. Hanserd Knollys, who was several times before the committee for preaching Antinomianism and Antipædobaptism; and being forbid to preach in the public churches, he opened a separate meeting in Great St. Helen's, from whence he was quickly dislodged, and his followers dispersed. Mr. Andrew Wyke, in the county of Suffolk, was imprisoned on the same account; and Mr. Oates in Essex tried for his life in Chelmsford assizes for the murder of Anne Martin, because she died, a few days after her immersion, of a cold that seized her at that time. Lawrence Clarkson was imprisoned by the committee of Suffolk, and having lain in jail six months, signed a recantation, and was released. The recantation\*, as entered in the committee's books, was in these words:

"July, 15, 1645.

"This day Lawrence Clarkson, formerly committed for an Anabaptist, and for dipping, does now, before the committee, disclaim his errors. And whereas formerly he said he durst not leave his dipping, if he might gain all the committee's estates, now he says, that he by the Holy Scriptures is convinced, that his said opinions were erroneous, and that he will not, nor dares not practise it again, if he might gain all the committee's estates by doing it. And that he makes this recantation not for fear, or to gain his liberty, but merely out of a sense of his error, wherein he will endeavour to reform others."

It must be granted, that the imprudent behaviour of the Baptist lay-preachers, who declaimed against human literature and hireling priests, crying down magistracy and a regular ministry, and talking in the most exalted strains of a fifth monarchy, and king Jesus, prejudiced the minds of many sober people against them; but still the imprisoning men merely on account of religious principles, not inconsistent with the public peace, nor propagated in a riotous and tumultuous manner, is not to be justi-

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suppress what they deemed error. Mr. Baxter always freely avowed, that "he abhorred unlimited liberty, or toleration of all." Dr. Lightfoot informed the house of commons, in a sermon at St. Margaret's, Westminster, that though "he would not go about to determine whether conscience might be bound or not, yet certainly the devil in the conscience might be, yea, must be bound by the civil magistrate." Crosby's History of the English Baptists, vol. 1. p. 176. 178. Robinson's History of Baptism, p. 151.—Ed.

\* Every instance of a recantation, which ecclesiastical history furnishes, moves our pity, and excites our indignation; our pity of the weakness and timidity from which it flows; and our indignation at the spirit of intolerance, which can demand the sacrifice of principle and integrity. "Mr. Clarkson had not only been imprisoned six months, but all the intercession of his friends, though he had several, could not procure his release. The committee were unrelenting. Nay; though an order came down, either from a committee of parliament, or the chairman of it, to discharge him, yet they refused to obey it." Crosby's History of English Baptists, vol. 1. preface, p. 16.—Ed.

fied on any pretence whatsoever; and it was the more inexcusable in this case, because Mr. Baxter admits \*, that the Presbyterian zeal was in a great measure the occasion of it.

Before we leave the assembly for this year, it will be proper to take notice, that it was honoured with the presence of Charles Lewis, elector-palatine of the Rhine, eldest son of Frederick, &c. king of Bohemia, who married king James's daughter, and lost his territories by the fatal battle of Prague in 1619. The unhappy Frederick died in 1632, and left behind him six sons and five daughters, among whom were prince Rupert, prince Maurice, and the princess Sophia. The young elector and his mother often solicited the English court for assistance to recover their dominions, and were as often complimented with empty promises. All the parliaments of this reign mention with concern the calamitous condition of the queen of Bohemia and her children, and offer to venture their lives and fortunes for the recovery of the Palatinate, but king Charles I. did not approve his sister's principles, who, being a resolved Protestant, had been heard to say, if we may believe L'Estrange, that rather than have her son bred up in idolatry at the emperor's court, she had rather be his executioner. And Mr. Echard adds †, that the birth of king Charles II. in the year 1630, gave no great joy to the Puritans, because, as one of them declared, "God had already provided for them in the family of the queen of Bohemia, who were bred up in the Protestant religion, while it was uncertain what religion king Charles's children would follow, being to be brought up by a mother devoted to the church of Rome." When the war broke out between the king and parliament, the elector's younger brothers, Rupert and Maurice, served the king in his army, but the elector himself being in Holland took the covenant, and by a letter to the parliament testified his approbation of the cause in which they were engaged. This summer he made a tour to England, and was welcomed by a committee of the two houses, who promised him their best advice and assistance; to whom the prince made the following reply:

"I hold myself much obliged to the parliament for their favours, and my coming is to express in person what I have often done by letter, my sincere affections to them, and to take off such jealousies, as either the actions of some of my relations, or the ill effects of what my enemies might by my absence cast upon me. My wishes ‡ are constant for the good success of the great work you have undertaken, for a thorough reformation; and my desires are to be ruled and governed by your grave counsels §."

The parliament ordered an apartment to be fitted up for the

\* Baxter's Life, p. 103.

† History, p. 449.

‡ Bishop Warburton thinks it apparent, from many circumstances, that the elector had his eye on the crown: matters being gone too far for the king and parliament ever to agree.—Ed.

§ Oldmixon's History of the Stuarts, p. 268.



prince at Whitehall, and voted him 8000*l.* \* a year for his maintenance, and 10,000*l.* for his royal mother, till he should be restored to his electorate †. While he stayed here, he frequently attended the assembly in their debates, and after some time had a pass for himself and forty horse into the Low Countries. His sister princess Sophia, afterward married the Duke of Brunswick and Hanover, whose son, upon the decease of queen Anne, succeeded to the crown of Great Britain, by the name of George I.; the numerous posterity of king Charles I. being set aside as Papists, and thus the descendants of the queen of Bohemia, electress-palatine, and daughter of king James I., came to inherit the imperial crown of these kingdoms, as a reward for their firmness to the Protestant religion:—and may the same illustrious family continue to be the guardians of our liberties, both sacred and civil, to the end of time!

Religion was the fashion of the age: the assembly was often turned into a house of prayer, and hardly a week passed without solemn fasting and humiliation, in several of the churches of London and Westminster; the laws against profaneness were carefully executed; and because the former ordinances for the observation of the Lord's day had proved ineffectual, it was ordained, April 6, that all persons should apply themselves to the exercise of piety and religion on the Lord's day, "that no wares, fruits, herbs, or goods of any sort, be exposed to sale, or cried about the streets, upon penalty of forfeiting the goods. That no person without cause shall travel, or carry a burden, or do any worldly labour, upon penalty of ten shillings for the traveller, and five shillings for every burden ‡. That no person shall, on the Lord's day, use, or be present at, any wrestling, shooting, fowling, ringing of bells for pleasure, markets, wakes, church-ales, dancing, games, or sports whatsoever, upon penalty of five shillings to every one above fourteen years of age. And if children are found offending in the premises, their parents or guardians to forfeit twelvepence for every offence. That all May-poles be pulled down, and none others erected. That if the several fines above mentioned cannot be levied, the offending party shall be set in the stocks for the space of three hours. That the king's declaration concerning lawful sports on the Lord's day be called in, suppressed, and burnt.

"This ordinance shall not extend to prohibit dressing meat in private families, or selling victuals in a moderate way in inns or victualling-houses, for the use of such who cannot otherwise be provided for; nor to the crying of milk before nine in the morning, or after four in the afternoon §."

\* It was ordered October 1645, but Dr. Grey quotes authority to prove that it was ill paid. Vol. 2. Appendix, No. 50.—Ed.

† Oldmixon's History of the Stuarts, p. 279.

‡ "And for every offence in doing any worldly labour or work."—Ed.

§ Sobell's Collect. p. 68.

The solemn league and covenant was in such high repute at this time \*, that by an order of the house of commons, January 29, 1634, it was appointed, "that, on every fast-day and day of public humiliation, the covenant should be publicly read in every church and congregation within the kingdom; and that every congregation be enjoined to have one of the said covenants fairly printed, in a fair letter, in a table fitted to hang up in some public place of the church to be read." Which was done accordingly, and they continued there till the restoration †.

But that which occasioned the greatest disturbance over the whole nation, was an order of both houses relating to Christmas-day. Dr. Lightfoot says, the London ministers met together last year to consult whether they should preach on that day; and one of considerable name and authority opposed it, and was near prevailing with the rest, when the doctor convinced them so far of the lawfulness and expediency of it, that the question being put it was carried in the affirmative with only four or five dissenting voices. But this year it happening to fall on the monthly fast, so that either the fast or the festival must be omitted, the parliament, after some debate, thought it most agreeable to the present circumstances of the nation to go on with fasting and prayer; and therefore published the following order:

"*Die Jovis* 19 Dec. 1644.

"Whereas some doubts have been raised, whether the next fast shall be celebrated, because it falls on the day which heretofore was usually called the feast of the nativity of our Saviour; the lords and commons in parliament assembled do order and ordain, that public notice be given, that the fast appointed to be kept the last Wednesday in every month ought to be observed, till it be otherwise ordered by both houses; and that this day in particular is to be kept with the more solemn humiliation, because it may call to remembrance our sins, and the sins of our forefathers, who have turned this feast, pretending the memory of Christ, into an extreme forgetfulness of him, by giving liberty to carnal and sensual delights, being contrary to the life which Christ led here on earth, and to the spiritual life of Christ in our souls, for the sanctifying and saving whereof, Christ was pleased both to take a human life, and to lay it down again ‡."

The royalists raised loud clamours on account of the supposed impiety and profaneness of this transaction, as what had never before been heard of in the Christian world, though they could not but know, that this, as well as other festivals, is of ecclesias-

\* Dr. Grey gives various passages from the sermons of the day to prove in what extravagant estimation it was held, and to shew what high encomiums were passed on it.—ED.

† Lond. Min. Testimony to the Truth of Jesus Christ, p. 26.

‡ Rushworth, vol. 5. p. 817.



tical appointment \*; that there is no mention of the observation of Christmas in the first or second age of Christianity; that the kirk of Scotland never observed it since the Reformation, except during the short reign of the bishops, and do not regard it at this day. Some of the most learned divines among the Presbyterians, as well as Independents, were in this sentiment. Mr. Edmund Calamy, in his sermon before the house of lords on this day, has these expressions: "This day is commonly called Christmas-day, a day that has heretofore been much abused to superstition and profaneness. It is not easy to say, whether the superstition has been greater, or the profaneness. I have known some that have preferred Christmas-day before the Lord's day; some that would be sure to receive the sacrament on Christmas-day, though they did not receive all the year after. Some thought, though they did not play at cards all the year long, yet they must play at Christmas, thereby, it seems, to keep in memory the birth of Christ. This, and much more, hath been the profanation of this feast; and truly, I think the superstition and profaneness of this day are so rooted into it, that there is no way to reform it, but by dealing with it as Hezekiah did with the brazen serpent. This year, God, by his providence, has buried this feast in a fast, and I hope it will never rise again. You have set out, right honourable, a strict order for keeping of it, and you are here this day to observe your own order, and I hope you will do it strictly. The necessities of the times are great, never more need of prayer and fasting. The Lord give us grace to be humbled in this day of humiliation, for all our own and England's sins, and especially for the old superstition and profaneness of this feast."

About Midsummer this year died doctor Thomas Westfield bishop of Bristol, born in the isle of Ely 1573, educated in Jesus-college, Cambridge, and afterward rector of Hornsey, and of St. Bartholomew the Great, London, and archdeacon of St. Albans. In the year 1641, he was advanced to the see of Bristol, which he accepted, though he had refused it, as is said, twenty-five years before †. He was a gentleman of great modesty, a good preacher, an excellent orator. The parliament had such an esteem for him, that they named him one of the assembly of divines, and he had the goodness to appear among them for some time. Upon the bishop's complaint, that the profits of his bishoprick were detained, the committee ordered them to be restored, and gave him a pass to go to Bristol to receive them, wherein they style him a person of great learning and merit. He died in possession of his bishoprick, June 25, 1644, aged seventy-one, and composed his own epitaph, one line of which was,

\* Senio et mœrore confectus.  
Worn out with age and grief.

\* Dr. Grey says, that the observation of Christmas was appointed by statute 5 and 6 Edward VI. c. 3.—Ed.

† Walker's Sufferings of the Clergy, p. 3.

And another;

*Episcoporum infimus, peccatorum primus.*  
The least of bishops, the greatest of sinners.

Dr. Calibute Downing was born of an ancient family in Gloucestershire, about 1616; he was educated in Oriel-college, Oxford, and at length became vicar of Hackney near London, by the procurement of archbishop Laud; which is very strange, if, as Mr. Wood says, he always looked awry on the church. In his sermon before the Artillery-company, September 1, 1640, he maintained, that for the defence of religion and reformation of the church, it was lawful to take up arms against the king, if it could be obtained no other way. For this he was forced to abscond till the beginning of the present parliament. He was afterward chaplain in the earl of Essex's army, and a member of the assembly of divines; but died before he was forty years of age, having the character of a pious man, a warm preacher, and very zealous in the interest of his country.

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## CHAPTER V.

### ABSTRACT OF THE TRIAL OF ARCHBISHOP LAUD, AND OF THE TREATY OF UXBRIDGE.

NEXT day, after the establishment of the Directory, Dr. William Laud, archbishop of Canterbury, received sentence of death. He had been a prisoner in the Tower almost three years, upon an impeachment of high treason by the house of commons, without once petitioning for a trial, or so much as putting in his answer to the articles; however, as soon as the parliament had united with the Scots, it was resolved to gratify that nation by bringing him to the bar; accordingly, serjeant Wild was sent up to the house of lords, October 23, with ten additional articles of high treason, and other crimes and misdemeanours; and to pray, that his grace might be brought to a speedy trial. We have already recited the fourteen original articles under the year 1640. The additional ones were to the following purpose:

1. "That the archbishop had endeavoured to destroy the use of parliaments, and to introduce an arbitrary government.
2. "That for ten years before the present parliament, he had endeavoured to advance the council-table, the canons of the church, and the king's prerogative, above law.
3. "That he had stopped writs of prohibition to stay proceedings in the ecclesiastical courts, when the same ought to have been granted.
4. "That he had caused sir John Corbet to be committed to the Fleet for six months, only for causing the petition of right to be read at the sessions.



5. "That judgment having been given in the court of King's-bench against Mr. Burley, a clergyman of a bad character, for nonresidence, he had caused the judgment to be stayed, saying he would never suffer judgment to pass upon any clergyman by *nihil dicit*.

6. "That large sums of money having been contributed for buying in impropriations, the archbishop had caused the feoffments to be overthrown into his majesty's exchequer, and by that means suppressed the design.

7. "That he had harboured and relieved divers Popish priests, contrary to law.

8. "That he had said at Westminster there must be a blow given to the church, such as had not been given, before it could be brought to conformity, declaring thereby his intention to alter the true Protestant religion established in it.

9. "That after the dissolution of the last parliament, he had caused a convocation to be held, in which sundry canons were made contrary to the rights and privileges of parliament, and an illegal oath imposed upon the clergy, with certain penalties, commonly known by the *et cætera* oath.

10. "That upon the abrupt dissolving of the short parliament 1640, he had told the king, he was now absolved from all rules of government, and at liberty to make use of extraordinary methods for supply \*."

I omit the charge of the Scots commissioners, because the archbishop pleaded the act of oblivion.

The lords ordered the archbishop to deliver in his answer in writing to the above-mentioned articles in three weeks, which he did, taking no notice of the original ones †. The trial was put off from time to time, at the request of the prisoner, till September 16, when the archbishop appearing at the bar, and having kneeled some time, was ordered to stand, and one of the managers for the commons moved the lords, that their articles of impeachment, with the archbishop's answer, might be read; but when the clerk of the house had read the articles, there was no answer to the original ones. Upon which serjeant Maynard rose up and observed, "how unjust the archbishop's complaints of his long imprisonment, and of the delay of his hearing, must be, when in all this time he had not put in his answer to their original articles, though he had long since counsel assigned him for that purpose. That it would be absurd in them to proceed on the additional articles, when there was no issue joined on the original ones; he therefore prayed, that the archbishop might forthwith put in his answer to all their articles, and then they should be ready to confirm their charge whenever their lordships should appoint."

The archbishop says, the lords looked hard one upon another, as if they would ask where the mistake was, he himself saying

\* Prynne's Complete History of the Trial of Archbishop Laud, p. 38.

† Ibid. p. 45.

nothing, but that his answer had not been called for\*. His grace would have embarrassed them farther, by desiring them to hear his counsel, whether the articles were certain and particular enough to receive an answer. He moved likewise, that if he must put in a new answer, his former might be taken off the file; and that they would please to distinguish which articles were treason, and which misdemeanour. But the lords rejected all his motions, and ordered him to put in his peremptory answer to the original articles of the commons by the 22d instant, which he did accordingly, to this effect:

"As to the 13th article, concerning the troubles in Scotland, and all actions, attempts, assistance, counsel, or device, relating thereto, this defendant pleadeth the late act of oblivion, he being none of the persons excepted by the said act, nor are any of the offences charged upon this defendant excepted by the said act.

"And as to all the other articles, both original and additional, this defendant, saving to himself all advantages of exception to the said articles, humbly saith, that he is not guilty of all or any the matters, by the said articles charged, in such manner and form as the same are by the said articles charged against him."

The trial was deferred all the month of February, as the archbishop insinuates, because Mr. Prynne was not ready with his witnesses. When it came on, lord Grey of Werk, speaker of the house of lords, was appointed president; but the archbishop complains, that there were seldom more than sixteen or eighteen peers at a time. The managers for the commons were, Mr. Serjeant Wild, and Mr. Maynard, Mr. Brown, Mr. Nicolas, and Mr. Hill, whom the archbishop calls *consul bibulus*, because he said nothing; their solicitor was Mr. Prynne, the archbishop's grand enemy. His grace's counsel were, Mr. Hern, Mr. Hales, Mr. Chute, Mr. Gerard; and his solicitor was his own secretary, Mr. Dell. The trial was depending almost five months, in which time the archbishop was heard twenty days, with as much liberty and freedom of speech as could be reasonably desired. When he complained of the seizure of his papers, the lords ordered him a copy of all such as were necessary for his defence; and when he acquainted them, that by reason of the sequestration of his estate, he was incapable of seeing his counsel, they moved the committee of sequestrations in his favour, who ordered him 200*l*. His counsel had free access to him at all times, and stood by to advise him during the whole of his trial.

The method of proceeding was this; the archbishop had three or four days' notice of the day of his appearance, and of the articles they designed to proceed on; he was brought to the bar about ten in the morning, and the managers were till one making good their charge; the house then adjourned till four, when the archbishop made his defence, after which one of the managers

\* Wharton's History of Archbishop Laud's Troubles, p. 214, 215.



replied, and the archbishop returned to the Tower between seven and eight of the clock in the evening.

It is unhappy that this remarkable trial, which contains the chief heads of controversy between the Puritans and the hierarchy, was not published by order of the house of peers, that the world might have seen the arguments on both sides in their full strength. Mr. Prynne, by order of the house of commons, has given us their evidence to that branch of the charge which relates to religion, and the archbishop has left behind him his own defence on every day's hearing, mixed with keen and satirical reflections on his adversaries; but these being detached performances, I have endeavoured to reduce the most material passages into a proper method, without confining myself to the exact order of time in which the articles were debated.

All the articles may be reduced to these three general heads.

First, "That the archbishop had traitorously attempted and endeavoured to subvert the rights of parliament, and to exalt the king's power above law.

Secondly, "That he had traitorously endeavoured to subvert the fundamental temporal laws and government of the realm of England, and to introduce an arbitrary government against law and the liberties of the subject.

Thirdly, "That he had traitorously endeavoured, and practised, to alter and subvert God's true religion by law established in this realm, and instead thereof to set up Popish superstition and idolatry, and to reconcile us to the church of Rome."

The trial began March 12, 1643—4, when Mr. Serjeant Wild, one of the managers of the house of commons, opened the impeachment with a smart speech, in which he stated and aggravated the several crimes charged upon the archbishop, and concluded with comparing him to Naaman the Syrian, who was a great man, but a leper.

The archbishop, in his reply, endeavours to wipe off the aspersions that were cast upon him, in a laboured speech which he held in his hand. He says, "It was no less than a torment to him to appear in that place, and plead for himself on that occasion, because he was not only a Christian but a clergyman, and by God's grace advanced to the greatest place this church affords. He blessed God that he was neither ashamed to live, nor afraid to die; that he had been as strict an observer of the laws of his country, both in public and private, as any man whatsoever; and as for religion, that he had been a steady member of the church of England as established by law, which he had endeavoured to reduce to decency, uniformity, and beauty, in the outward face of it; but he had been as far from attempting any alterations in favour of Popery, as when his mother first bore him into the world: and let nothing be spoken but truth (says he) and I do here challenge whatsoever is between heaven and hell, that can be said against me in point of my

religion, in which I have ever hated dissimulation\*." He then concludes with a list of twenty-one persons whom he had converted from Popery to the Protestant religion.

It was observed by some, that if the passionate expressions in this speech had been a little qualified, that they would have obtained more credit with his grace's judges†; but as they were pronounced, were thought hardly fit for the mouth of one who lay under the weight of so many accusations from the representative body of the nation.

The next day [March 13], the managers for the commons began to make good the first branch of their charge, to the following purpose, viz.

"That the archbishop had traitorously attempted to subvert the rights of parliament, and to exalt the king's power above the laws."

In support of which they produced, (1.) a passage out of his own Diary, December 5, 1639. "A resolution was voted at the board to assist the king in extraordinary ways, if (says he) the parliament should prove peevish and refuse."

The archbishop replied, that this was the vote of the whole council-table, of which he was only a single member, and therefore could not be called his counsel. Besides, the words had relation to the troubles of Scotland, and are therefore included in the act of oblivion.

2. "They produced another expression in one of the archbishop's papers under his own hand, in the beginning of which he says, that magna charta had an obscure birth, and was fostered by an ill nurse‡."

The archbishop replied, that it was no disgrace to magna charta to say it had an obscure birth; our histories confirm the truth of it, and some of our law-books of good account use almost the same expressions; and shall the same words be history and law in them, and treason in me§?

3. They averred. "that he had said in council, that the king's proclamation was of as great force as an act of parliament; and that he had compared the king to the stone spoken of in the gospel, that whosoever falls upon it shall be broken, but upon whomsoever it falls it will grind him to powder."

The archbishop replied, that this was in the case of the soap business, twelve years ago; and thinks it impossible those words should be spoken by him: nor does he apprehend the gentlemen who press this evidence can believe it themselves, considering they are accusing him as a cunning delinquent. So God forgive these

\* Wharton's History of Archbishop Laud's Troubles, p. 223.

† Dr. Grey thinks that the severest expressions were justifiable in answer to so foul-mouthed an impeacher as serjeant Wild, and that there was nothing in the bishop's speech unbecoming that great prelate to speak, or that assembly to hear.—Ed.

‡ Laud's History, p. 229—231.

§ Ibid. p. 409.



men the falsehood and malice of their oaths (says he!) but as to the allusion to the stone in the Scripture, if I did apply it to the king, it was far enough from treason, and let them and their like take care, lest it prove true upon themselves, for Solomon says, "The anger of a king is death\*."

4. In farther maintenance of this part of their charge, the managers produced "two speeches which his grace framed for the king to be spoken to the parliament; and his majesty's answer to the remonstrance of the house of commons in the year 1628, which was all written with the archbishop's own hand, and these words endorsed by himself, 'My answer to the parliament's remonstrance.' In which papers were sundry passages tending to set up an absolute power in the king, and to make the calling of parliaments in a manner useless. The king is made to say, that his power is only from God, and to him only he is accountable for his actions; that never king was more jealous of his honour, or more sensible of the neglect and contempt of his royal rights. His majesty bids the commons remember, that parliaments are altogether in his power, for their calling, sitting, and dissolution; and that according as they behaved themselves they should continue, or not be. When some of the members of parliament had spoken freely against the duke of Buckingham, they were by the king's command sent to the Tower; and his majesty coming to the house of peers, tells them, that he had thought fit to punish some insolent speeches lately spoken against the duke, for I am so sensible of all your honours (says he), that he that touches any of you, touches me in a very great measure. Farther, when the parliament was dissolved in the year 1628, a proclamation was published, together with the above-mentioned remonstrance, in which his majesty declares, that since his parliament was not so dutiful as they ought to be, he was resolved to live without them, till those who had interrupted his proceedings should receive condign punishment, and his people come to a better temper; and that in the meantime, he would exact the duties that were received by his father, which his now majesty neither could nor would dispense with†."

The archbishop replied, that he did indeed make the above-mentioned speeches, being commanded to the service, and followed his instructions as close as he could. As for the smart passages complained of, he hopes they will not be thought such, when it is considered whose mouth was to utter them, and upon what occasion. However, if they be, he is heartily sorry for them, and humbly desires they may be passed by. The answer to the remonstrance was drawn by his majesty's command, as appears by the endorsement; and the severe passages objected to were in his instructions. When a parliament errs, may not their king tell them

\* Laud's History, p. 234.

† King's Speeches, March 27, 29, and May 11.

of it? Or must every passage in his answer be sour that pleases not\*?

The managers proceeded to produce some other passages tending more immediately to subvert the rights of parliament, and among others, they insisted on these three:

1. "That the archbishop had said at the council-table, after the ending of the late parliament, that 'now the king might make use of his own power.' This was attested by sir Harry Vane the elder, who was a privy-councillor, and then present."

The archbishop replied, that he did not remember the words; that if he did speak them they were not treasonable; or if they were, he ought to have been tried within six months, according to the statute 1 Eliz. cap. 6. That sir Henry Vane was only a single witness, whereas the law requires two witnesses for treason: besides, he conceived that this advice relating to the Scottish troubles was within the act of oblivion, which he had pleaded. But last of all, let it be remembered, says the archbishop, for sir Harry's honour, that he being a man in years, has so good a memory, that he alone can remember words spoken at a full council-table, which no person of honour remembers save himself; but I would not have him brag of it, for I have read in St. Austin, that some, even the worst of men, have great memories, and so much the worse for having them. God bless sir Henry†!

2. The archbishop had affirmed, "that the parliament might not meddle with religion, without the assent of the clergy in convocation. Now if this were so, say the managers, we should have had no reformation, for the bishops and clergy dissented."

The archbishop in his reply cited the statute 1 Eliz. cap. 1, which says, that "what is heresy shall be determined by the parliament, with the assent of the clergy in convocation," from whence he concluded, the parliament could not by law determine the truth of doctrine without the assent of the clergy; and to this the managers agreed, as to the point of heresy, but no farther. The archbishop added, that, in his opinion, it was the prerogative of the church alone to determine truth and falsehood, though the power of making laws for the punishment of erroneous persons was in the parliament with the assent of the clergy‡. Indeed the king and parliament may, by their absolute power, change Christianity into Turkism if they please, and the subjects that cannot obey must fly, or endure the penalty of the law; but of right they cannot do this without the church. Thus the parliament, in the beginning of queen Elizabeth's reign, by absolute power abolished Popish superstition; but when the clergy were settled, and a form of doctrine was to be agreed on, a synod was called, 1562, and the articles of religion were confirmed by parliament, with the assent of the clergy, which gave all parties their just right, as is so evident, that the heathens could see the justice of it,

\* Laud's Hist. p. 230. 403, 404, 406. † Ibid. p. 231. ‡ Ibid. p. 401.



for Lucullus says in Tully, that the priests were judges of religion, and the senate of the law.

3. "At a reference between Dr. Gill, schoolmaster of St. Paul's, and the Mercers' company, the archbishop had said, that the company could not turn him out of the school, without consent of his ordinary; and that, upon mention of an act of parliament, he replied, 'I see nothing will down with you but acts of parliament, no regard at all to the canons of the church; but I will rescind all acts that are against the canons, and I hope shortly to see the canons and the king's prerogative of equal force with an act of parliament.'"

The archbishop was so provoked with the oath of the witness who gave this in evidence [Mr. Samuel Blood], that he was going to bind his sin on his soul, not to be forgiven him, till he should ask him forgiveness\*; but he conquered his passion, and replied, that since by a canon† no person is allowed to teach school without the bishop's licence, and that in case of offence he is liable to admonition and suspension, it stands good, that he may not be turned out without the said bishop's knowledge and approbation. As for the words, "that he saw nothing would down with them but an act of parliament, and that no regard was had to the canons," he conceived them to be no offence; for though the superiority belongs to acts of parliament in this kingdom, yet certainly some regard is due to the canons; and therefore he says again, that "if nothing will down with men but acts of parliament, the government in many particulars cannot subsist. As to the last words, of his rescinding those acts that were against the canons, he is morally certain he could not utter them; nor does he believe any man that knows him will believe him such a fool, as to say, he hoped to see the canons and the king's prerogative of equal force with an act of parliament, since he has lived to see sundry canons rejected, and the king's prerogative discussed by law, neither of which can be done by any judges to an act of parliament. However, if such words should have escaped him, he observes there is only one witness to the charge; and if they be within the danger of the statute, then to that statute which requires his trial within six months he refers himself.

The managers went on to the second charge against the archbishop, which was his design "to subvert the fundamental temporal laws of the kingdom, and to introduce an arbitrary government against law and the liberty of the subject." In maintenance whereof they alleged "his illegal pressures of tonnage and poundage without act of parliament, ship-money, coat and conduct money, soap-money, &c. and his commitment of divers persons to prison for non-payment; for a proof of which there appeared, among others, three aldermen, viz. aldermen Atkins, Chambers, and Adams."

\* Land's History, p. 236, 237.

† Can. 77. 79.

The archbishop confessed, that as to the business of ship-money, he was zealous in that affair, yet not with an intent to violate the law, for though this was before judgment given for the king, it was after the judges had declared the legality of it under their hands, and he thought he might safely follow such guides. He was likewise of opinion, that tonnage and poundage, coat and conduct money, were lawful on the king's part; that he was led into this opinion by the express judgment of some lords present, and by the silence of others; none of the great lawyers at the table contradicting it; however, that it was the common act of the council-table, and therefore all were as culpable as himself; and he was sure this could not amount to treason, except it were against the three aldermen, Atkins, Chambers, and Adams\*.

They objected farther, "sundry depopulations, and pulling down houses; that for the repair of St. Paul's above sixty dwelling-houses had been pulled down, by order of council, without any satisfaction to the tenants, because they did not accept of the committee's composition.—That he had obliged a brewer near the court not to burn sea-coal, under penalty of having his brewhouse pulled down; and that by a like order of council many shop-keepers were forcibly turned out of their houses in Cheapside, to make way for goldsmiths, who were forbid to open shop in any other places of the city. When a commission was issued under the broad seal to himself, to compound with delinquents of this kind, Mr. Talboys was fined 50*l.* for noncompliance; and when he pleaded the statute of the 39th of Elizabeth, the archbishop replied, 'Do you plead law here? either abide the order, or take your trial at the star-chamber.' When Mr. Wakern had 100*l.* allowed him for the pulling down his house, he was soon after fined 100*l.* in the high-commission court for profanation; of which he paid thirty†."

This the archbishop admitted, and replied to the rest, that he humbly and heartily thanked God, that he was counted worthy to suffer for the repair of St. Paul's, which had cost him out of his own purse above 1,200*l.* As to the grievances complained of, there was a composition allotted for the sufferers, by a committee named by the lords, not by him, which amounted to 8 or 9,000*l.* before they could come at the church to repair it; so that if any thing was amiss, it must be imputed to the lords of the council, who are one body, and whatsoever is done by the major part is the act of the whole; that, however, here was some recompense made them, whereas in king James's time, when a commission was issued for demolishing these very houses, no care was taken for satisfaction of any private man's interest; and I cannot forbear to add, says the archbishop, that the bishop, and dean and chapter, did ill in giving way to these buildings, to increase their rents by a sacrilegious revenue; there being no law

\* Land's History, p. 232—234.

† Ibid. p. 235. 244. 246. 265.



to build on consecrated ground. When it was replied to this, "that the king's commission was no legal warrant for pulling down houses, without authority of parliament," he answered, that houses more remote from the church of St. Paul's had been pulled down by the king's commission only, in king Edward III.'s time. As to the brewhouse, the archbishop owned that he had said to the proprietor, that he must seal a bond of 2,000*l.* to brew no more with sea-coal; but it was at the council-table, when he was delivering the sense of the board, which office was usually put upon him if present; so that this or any other hardship he might suffer ought not to be imputed to him, but to the whole council; and he was very sure it could not amount to treason, except it were treason against a brewhouse. The like answer he made to the charge about the goldsmiths' shops, namely, that it was the order of council, and it was thought to be for the beauty and grandeur of the city, and he did apprehend the council had a right to command in things of decency, and for the safety of the subject, and where there was no law to the contrary. As to the words which he spoke to Mr. Talboys, they were not designed to derogate from the law, but to shew, that we sat not there as judges of the law, but to offer his Majesty's grace, by way of composition to them who would accept it, and therefore he had his option, whether he would agree to the fine we imposed upon him, or take his trial elsewhere. The commons replied with great reason, that no commission from the king could justify the pulling down men's houses, or oblige them to part with their estates without act of parliament.

The managers objected farther to the archbishop, "several illegal commitments, and exorbitant fines and censures in the star-chamber, and high-commission court, as in the cases of Prynne, Burton, Bastwick, Huntley, and others; and that when the persons aggrieved brought prohibitions, he threatened to lay them by the heels, saying, 'Does the king grant us power, and are we then prohibited? Let us go and complain, I will break the back of prohibitions, or they shall break mine.' Accordingly several persons were actually imprisoned for delivering prohibitions, as was testified by many witnesses; nay, Mr. Wheeler swore, he heard the archbishop in a sermon say, that they which granted prohibitions to the disturbance of the church's right, God will prohibit their entrance into the kingdom of heaven."

The archbishop replied, that the fines, imprisonments, and other censures complained of, were the acts of the several courts that directed them, and not his. That the reason why several persons were imprisoned for prohibitions, was because they delivered them in court in an unmannerly way, throwing them on the table, or handing them over the heads of others on a stick, to the affront of the court; notwithstanding which, as many prohibitions had been admitted in his time as in his predecessors; and

after all, he apprehended these prohibitions were a very great grievance to the church; nor was there the same reason for them now, as before the Reformation, while the bishops' courts were kept under a foreign power, whereas now all power exercised in spiritual courts, as well as in temporal, is for the king. As to the words in his sermon, though he did not remember them, yet he saw no great harm in them. And here the archbishop put the lords in mind, that nothing had been done of late in the star-chamber, or council-table, more than had been done in king James and queen Elizabeth's times. Nor is there any one witness that says, what he did was with a design to overthrow the laws, or introduce arbitrary government; no, that is only the construction of the managers, "for which, and something else in their proceedings, I am confident (says he) they shall answer at another bar\*."

The managers objected farther, "the archbishop's taking undue gifts, and among others, his receiving two butts of sack, in a cause of some Chester men, whom it was in his power to relieve, by mitigating the fine set on them in the high-commission, and taking several large sums of money by way of composition for fines in the high-commission court, making use of the method of commutation, by virtue of a patent obtained from the king, which took away all opportunity from his majesty of doing justice, and shewing mercy to his poor subjects, and invested the archbishop with the final determination."

His grace heard this part of his charge with great resentment and impatience. "If I would have had any thing to do in the base, dirty business of bribery (says he), I needed not be in such want as I am now." As to the sack†, he protested, as he should answer it to God, that he knew nothing of it, and offered to confirm it by his oath, if it might be admitted. He declared, that when his steward told him of Mr. Stone's design, he absolutely forbade his receiving it, or any thing from any man who had business before him; but Mr. Stone watching a time when his steward was out of town, and the archbishop at court, brought the sack, telling the yeoman of the wine-cellar, that he had leave to lay it in. Afterward, when his steward acquainted him that the sack was brought in, he commanded it should be carried back; but Mr. Stone entreated that he might not be so disgraced, and protested he did not do it on the account of the Chester business, though after this he went home and put it on their account; for which they complained to the house of commons, and produced Mr. Stone for their witness. The archbishop observes, that Mr.

\* Laud's History, p. 270, 271, 273, 274.

† Dr. Grey charges Mr. Neal with not giving the whole truth here, and with being cautious not to produce too many things in favour of the archbishop. The editor, not having Laud's History, cannot ascertain the truth or candour of this



Browne, in summing up his charge, did him justice in this particular, for neither to the lords nor commons did he so much as mention it.

As to the other sums of money which he received by way of composition or otherwise, for fines in the high-commission, he said, that he had the broad seal from the king, for applying them to the repairing the west end of St. Paul's, for the space of ten years, which broad seal was then in the hands of Mr. Holford, and was on record to be seen. And all fines in the high-commission belonging to the crown, his majesty had a right to give them to what use he pleased; that as for himself, he thought it his duty to get as much money for so good a work as he could, even by way of commutation for certain crimes; which method of pecuniary commutations was according to law, and the ancient custom and practice of this kingdom, especially where men of quality were offenders, and he had applied no part of them to his own benefit or advantage.

It was next objected, "that he had made divers alterations in the king's coronation oath, and introduced several unwarrantable innovations with relation to that august ceremony; as particularly, that he had inserted those words into the oath, 'agreeable to the king's prerogative,' with about twenty other alterations of less moment, which they apprehended to be a matter of most dangerous consequence. That he had revived certain old Popish ceremonies, disused since the Reformation, as the placing a crucifix on the altar, the consecrating the holy oil, the anointing the king in form of a cross, the offering up the regalia on the altar, without any rubric or direction for these things, and inserting the following charge taken verbatim out of the Roman pontifical: 'Stand, and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us, and all the bishops and servants of God; and as you see the clergy come nearer the altar than others, so remember, that in place convenient you give them greater honour, that the Mediator of God and man may establish you in the kingly throne, to be the mediator between the clergy and the laity, and that you may reign for ever with Jesus Christ, the King of kings, and Lord of lords, who with the Father and the Holy Ghost liveth and reigneth for ever. Amen.'"

The archbishop replied, that he did not insert the words above mentioned into the coronation-oath, they being first added in king Edward VI. or queen Elizabeth's time, and had no relation to the laws of the kingdom, mentioned before in the beginning of the oath, but to the profession of the gospel, whereby the king swears to maintain his prerogative against all foreign jurisdictions: and if this be not the meaning, yet he avers, that the clause was in the coronation-oath of king James. As to the other alterations they were admitted not to be material; but his grace confesses, that

when they met in the committee, they were forced to mend many slips of the pen in some places, and to make sense and good English in others, and the book being intrusted with him, he did it with his own hand, openly in the committee, and with their approbation. As to the ceremonies of the coronation, they are nothing to him, since his predecessor crowned and anointed the king, indeed he supplied the place of the dean of Westminster, and was obliged to look after the regalia, and conceives the offering them at the altar could be no offence. He does not remember the crucifix was brought out [though Heylin says it was], and as to the prayer, it was not taken from the Pontifical by him, for it was used at king James's coronation, and being a good one it is no matter whence it was taken. To all which the managers replied, that it appeared by his own Diary, that he had the chief direction of all these innovations\*.

The managers went on, and charged the archbishop "with endeavouring to set up an independent power in the church, by attempting to exempt the clergy from the jurisdiction of the civil magistrate; of which they produced several examples; one was, the archbishop's forbidding the lord-mayor of the city of London to carry the sword upright in the church, and then obtaining an order of council for submitting it in time and place of divine service. Another was taken out of the archbishop's Diary: upon making the bishop of London lord-treasurer, he says, 'No churchman had it since Henry VII. and now, if the church will not hold up themselves, under God, I can do no more.' A third was, his saying in the high-commission, that no constable should meddle with men in holy orders. A fourth was, his calling some justices of peace into the high-commission, for holding the sessions at Tewkesbury in the churchyard, being consecrated ground, though they had licence from the bishop, and though the eighty-eighth canon of the church of England gives leave, that temporal courts or leets may be kept in the church or churchyard. And a fifth was, that he had caused certain churchwardens to be prosecuted, for executing the warrant of a justice of peace upon an alehouse-keeper†."

The archbishop replied in general, that he never attempted to bring the temporal power under the clergy, not to free the clergy from being under it; but this he confessed, that he had laboured to preserve the clergy from some laymen's oppressions, for *vis laica* has been an old and a just complaint; and this I took to be my duty," says he, assuring myself that God did not raise me to that place of eminence to sit still, and see his ministers discountenanced and trampled upon. To the first particular he replied, that it was an order of council, and therefore not his: but it was a reasonable one, for the sword was not submitted to any foreign or home power, but to God only, and that in the place and at the performance of

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318. Prynne, p. 475.

† Laud's Hist. p. 293.



his holy worship, at which time and place kings submit themselves, and therefore cannot insist upon the emblems of their power. To the second and third examples he replied, that he saw no treason or crime in them. To the fourth he replied, that no temporal courts ought to be kept upon consecrated ground; and that though some such might upon urgent occasions be kept in the church, with leave, yet that is no warrant for a sessions, where there might be a trial for blood; and certainly it can be no crime to keep off profanation from churches: but be it never so criminal, it was the act of the high-commission, and not his: nor is there any thing in it that looks towards treason. To the prosecuting the churchwardens he answered, that those statutes concerned alehouse-keepers only, and the reason why they were prosecuted was, because being church-officers they did not complain of it to the chancellor of the diocese; for certainly standing in such a relation to the church, they ought to have been as ready to inform the bishop as to obey the justice of the peace.

Lastly, The managers objected to the archbishop, "the convocation's sitting after the parliament was dissolved, contrary to law; their imposing an oath on the subject, and their making sundry canons, which had since been voted by both houses of parliament contrary to the king's prerogative, to the fundamental laws of the realm, to the rights of parliament, to the property and liberty of the subject, and containing matters tending to sedition, and of dangerous consequence\*."

The archbishop replied, that the sitting of the convocation after the dissolution of the parliament was, in the opinion both of judges and other lawyers, according to law; that as they were called to sit in convocation by a different writ from that which called them as bishops to sit in parliament, so they could not rise till they had a writ to discharge them. As for the oath so much complained of, it was according to law, or else they were misled by such precedents as were never excepted against; for in the canons made in king James's time, there was an oath against simony, and an oath for licences for marriages, and an oath for judges in ecclesiastical courts, and all these established by no other authority than the late one. As to the vote of both houses, which condemned the canons, since their lordships would not suffer him to debate the justice and equity of it, he could only reply, that all these canons were made in open and full convocations, and are acts of that body, and cannot be ascribed to him, though president of that synod, so by me (says the archbishop) they were not made†.

These were the principal evidences produced by the commons, in maintenance of the first branch of their charge, viz. his grace's endeavours to subvert the rights of parliament, and the fundamental temporal laws of the kingdom. From whence it is easy to observe, that besides the sharpness of the archbishop's temper,

\* Laud's History, p. 287, 292.

† Ibid. p. 282.

there are three capital mistakes which run through this part of his defence.

1. A groundless supposition, that where the law is silent the prerogative takes place; and that in all such cases, a proclamation, or order of council, or a decree of the star-chamber, &c. is binding upon the subject; and that disobedience to such proclamations or orders might be punished at discretion. This gave rise to most of the unwarrantable orders by which the subject was insufferably oppressed in the former part of this reign, and to the exorbitant fines that were levied for disobedience, in which the archbishop himself was notoriously active.

2. The false conclusions drawn from his being but a single member of the council or high-commission, viz. that therefore he was not answerable for their votes or orders, even though he had set his hand to them; because what is carried by a majority is supposed to be the act of the whole body, and not of any particular member\*. According to which way of reasoning, the constitution might be destroyed, without a possibility of punishing the authors.

3. His wilful misconstruction of the managers' reasonings; as when he replies with an air of satisfaction and triumph, he hopes this or the other particular will not be construed treason, unless it be against a brewhouse or an alderman, or the like; though he was told over and over, by the managers for the commons, that they did not object these things to him as so many treasonable acts, but as proofs and evidences of one general charge, which was, a traitorous attempt and endeavour to subvert the fundamental temporal laws, government, and liberties, of the realm; and how far they have made good this part of their charge must be left with the reader.

The commons proceeded next to the third general charge, relating to religion, in which our history requires us to be more particular; and here they aver, "that the archbishop had traitorously endeavoured and practised to alter and subvert God's true religion by law established in this realm, and instead thereof to set up Popish superstition and idolatry, and to reconcile us to the church of Rome."

This was divided into two branches:

1st. "His introducing and practising certain Popish innovations and superstitious ceremonies, not warranted by law, nor agreeable to the practice of the church of England since the Reformation.

2dly. "His countenancing and encouraging sundry doctrinal errors in favour of Arminianism and Popery."

The managers began with Popish innovations and ceremonies, in maintenance of which they insisted on the following proofs:

(1.) "His countenancing the setting up of images in churches, church-windows, and other places of religious worship. That in

\* Laud's History, p. 437.



his own chapel at Lambeth he had repaired the Popish paintings on the windows, that had been destroyed at the Reformation, and made up the history of Christ crucified between two thieves; of his rising out of the grave; of his ascension into heaven; of the Holy Ghost descending in form of a dove; of Christ raising Lazarus out of the grave; and of God himself raining down manna from heaven; of God's giving the law to Moses on mount Sinai; of fire descending from heaven at the prayer of Elisha; of the Holy Ghost overshadowing the Virgin, &c. all taken from the Roman missal, with several superstitious mottos and inscriptions. That he had caused divers crucifixes to be set up in churches over the communion-table, in his chapel at Lambeth, at Whitehall, and at the university at Oxford, of which he was chancellor. That in the parish of St. Mary's there was since his time erected a statue of the Virgin Mary cut in stone, with a child in her arms, to which divers people bowed and did reverence as they went along the streets; which could not be done without his allowance; nay, so zealous was this prelate (say the managers) in defence of images, that he procured Mr. Sherfield to be sentenced in the star-chamber, for defacing a church-window in or near Salisbury, because there was an image in it of God the Father; all of which is contrary to the statute of the 3rd and 4th of Edward VI. and the injunctions of queen Elizabeth, which enjoin all pictures, paintings, images, and other monuments of idolatry and superstition to be destroyed, so as that there remain no memory of them in walls, glass-windows, or elsewhere, within any church or house\*."

The archbishop answered in general, that crucifixes and images in churches were not simply unlawful; that they were in use in Constantine's time, and long before, and therefore there could be no Popery in them. Tertullian says, they had the picture of Christ engraven on their chalice in form of a shepherd carrying home a lost sheep; and even Mr. Calvin allows an historical use of images *Instit. lib. 1. cap. 11. sect. 12.* "Neque tamen ea superstitione teneor ut nullas prorsus imagines ferandas censeam, sed quia sculptura et pictura, Dei dona sunt, purum et legitimum utriusque usum requiro." The archbishop appealed likewise to the Homilies, p. 64, 65, for an historical use of images; but if it should be granted, says he, that they are condemned by the homilies, yet certainly one may subscribe to the homilies as containing a godly and wholesome doctrine, necessary for those times, without approving every passage or sentence, or supposing it necessary for all times. I do not approve of images of God the Father, though some will justify them from Dan. vii. 22, but as for the images of things visible, they are of use, not only for the beautifying and adorning the places of divine worship, but for admonition and instruction; and can be an offence to none but

\* Pryane's Cant. Doom. p. 157. 462, &c.

such as would have God served slovenly and meanly, under a pretence of avoiding superstition\*.

As to the particulars, the archbishop allowed his repairing the windows of his chapel at Lambeth, and making out the history as well as he could, but not from the Roman missal, since he did not know the particulars were in it, but from the fragments of what remained in the windows since the Reformation; but if they had been originally painted by his order, as in the case of the new chapel of Westminster, he knows no crime in it†. The image of the Virgin Mary in Oxford was set up by bishop Owen, and there is no evidence that I countenanced the setting it up, nor that any complaint was made to me of any abuse of it‡. As to Mr. Sherfield's case, one of the witnesses says, it was the picture of an old man with a budget by his side pulling out Adam and Eve, it is not therefore certain that it was the image of God the Father; but if it was, yet Mr. Sherfield ought not to have defaced it but by command of authority, though it had been an idol of Jupiter; the orders of the vestry, which Mr. Sherfield pleads, being nothing at all without the bishop of the diocess§. The statute of Edward VI. has nothing to do with images in glass-windows; the words of the statute are, "any images of stone, timber, alabaster, or earth, graven, carved, or painted, taken out of any church, &c. shall be destroyed." So here is not a word of glass-windows, nor images in them.

The managers for the commons replied, that it was notoriously false, that the primitive Christians approved of images, for Justin Martyr, Clemens Alexandrinus, Irenæus, and all the ancient fathers, agree that they had none in their churches||. Lactantius says, there can be no religion in a place where any image is. Epiphanius rent in pieces an image painted on cloth, which he found in a church, out of holy indignation. All the ancient councils are against images in churches; and many godly emperors cast them out, after they began to be in use in latter times, as our own homilies expressly declare, *Peril of Idolatry*, part 2. p. 38. As for Tertullian, all that can be proved from him is, that those heretics against whom he wrote had such a chalice, not that the orthodox Christians allowed of it. Calvin only says, that he is not so superstitious as to think it altogether unlawful to make images of men or beasts for a civil use, because painting is the gift of God. But he affirms, in the very next section, that there were no images in churches for five hundred years after Christ; and says expressly, that they were not in use till the Christian religion was corrupted and depraved. He then adds, that he accounts it unlawful and wicked to paint the image of God, because he has forbidden it. But the homilies are so express that they wonder the archbishop can mention them without blushing; as

\* Laud's Hist. p. 311. Prynne, p. 462, 463. 479.

† Prynne, p. 462.

‡ Laud's History, p. 329.

§ Ibid. p. 434.

p. 463—465.



well as his not knowing that the paintings were according to the mass-book, when his own mass-book is marked in those places with his own hand\*. The images in those windows were broken and demolished at the Reformation, by virtue of our statutes, homilies and injunctions, and remained as monuments of our indignation against Romish idolatry, till the archbishop repaired them. The managers observed farther, that the archbishop had confessed the particulars of this part of their charge, and had only excused himself as to the university of Oxford, though they conceive it impossible he could be ignorant of those innovations, being chancellor and visitor, and having entertained the king, queen, and elector-palatine, there for several days. As for Mr. Sherfield's case, they apprehend the authority of the vestry was sufficient in a place exempt from the jurisdiction of the bishop, as St. Edmund's church was. And the managers are still of opinion, that the statute of Edward VI. extends to images in glass-windows; and that which confirms them in it is, that the injunctions of queen Elizabeth, made in pursuance of this law, extend in direct terms to images in glass-windows; and the practice of those times in defacing them, infallibly proves it.

(2.) Another Popish innovation charged on the archbishop was, "his superstitious manner of consecrating chapels, churches, and churchyards; they instanced in Creed-church, of which the reader has had an account before; and in St. Giles's in the Fields, which, being fallen to decay, was in part re-edified and finished in bishop Mountaine's time, divine service, and administration of sacraments having been performed in it three or four years before his death; but no sooner was the archbishop translated to the see of London, than he interdicted the church, and shut up the doors for several weeks, till he had reconsecrated it, after the manner of Creed-church, to the very great cost and charge of the parish, and contrary to the judgment of bishop Parker, and our first reformers†."

"They objected farther, his consecrating of altars with all their furniture, as pattens, chalices, altar-cloths, &c. even to the knife that was to cut the sacramental bread; and his dedicating the churches to certain saints, together with his promoting annual revels, or feasts of dedication, on the Lord's day, in several parts of the country, whereby that holy day was profaned, and the people encouraged in superstition and ignorance."

The archbishop answered to the consecration of churches, that the practice was as ancient as Moses, who consecrated the tabernacle, with all its vessels and ornaments; that the temple was afterward consecrated by king Solomon; that as soon as Christian churches began to be built, in the reign of Constantine the Great, they were consecrated, as Eusebius testifies concerning the church of Tyre, in his Ecclesiastical History, lib. 10. cap. 3, and so it

\* Peril of Idol. p. 41—43.

† Prynne, p. 113, 114. 497.

has continued down to the present time. Besides, if churches were not consecrated, they would not be holy; nor does archbishop Parker speak against consecrations in general, but against Popish consecrations, which mine were not, says the archbishop, for I had them from bishop Andrews\*.

As to the manner of consecrating Creed-church, St. Giles's, &c. his grace confessed, that when he came to the church-door, that passage in the Psalms was read, "Lift up your heads, O ye gates, even lift them up, ye everlasting doors, that the King of glory may come in†;" that he kneeled and bowed at his entrance into the church, as Moses and Aaron did at the door of the tabernacle; that he declared the place holy, and made use of a prayer like one in the Roman pontifical; that afterward he pronounced divers curses on such as should profane it, but denied his throwing dust into the air, in which he said, the witnesses had forsworn themselves, for the Roman pontifical does not prescribe throwing dust into the air, but ashes; and he conceives there is no harm, much less treason, in it‡. The practice of giving the names of angels and saints to churches at their dedication, for distinction's sake, and for the honour of their memories, says his grace, has been very ancient, as appears in St. Austin, and divers others of the fathers; but the dedication, strictly speaking, is only to God; nor is the observing the annual feasts of dedication less ancient; the feast of the dedication of the temple was observed in our Saviour's time, and though, no doubt, it was abused by some among the Jews, yet our Saviour honoured it with his presence. Judge Richardson, indeed, had made an order in his circuit for putting down these wakes, but he was obliged to revoke it by authority; and, under favour, says the archbishop, I am of opinion that the feasts ought not to be put down for some abuses, any more than all vines ought to be rooted up because some will be drunk with the juice of them§. The feasts are convenient for keeping up hospitality and good neighbourhood; nor can there be a more proper time for observing them than on Sundays, after divine service is ended.

And as the consecrating of churches, and dedicating them to God, has been of ancient usage, so has the consecration of altars and their furniture, and such consecrations are necessary, for else the Lord's table could not be called holy, nor the vessels belonging to it holy, as they usually are; yea, there is a holiness in the altar which sanctifies the gift, which it could not do, except itself were holy; if there be no dedication of these things to God, no separation of them from common use, then there can be no such thing as sacrifice, or difference between a holy table and a common one||.

\* Laud's History, p. 339, 340. Pryne, p. 115.

† The archbishop alleged, that this place of Scripture had been anciently used in consecrations; and that it referred not to the bishop, but to the true King of glory. Dr. Grey — Ed.

‡ Pryne

§ Laud's Hist. p. 269.

|| Ibid. p. 313.



And as to the form of consecrating these things, I had them not from the Roman pontifical, but from bishop Andrews.

The managers for the commons replied, that if the temple was consecrated, it was by the king himself, and not by the high-priest; and if the tabernacle was consecrated, it was by Moses the civil magistrate, and not by Aaron the high-priest; but we read of no other consecrating the tabernacle and its utensils, but anointing them with oil, for which Moses had an express command; nor of any other consecrating the temple, but of Solomon's making an excellent prayer in the outward court, not in the temple itself, and of his hallowing the middle court by offerings and peace-offerings; and it is observable that the cloud and glory of the Lord filled the temple, so as the priests could not stand to minister before Solomon made his prayer, which some call his consecration. But if it should be allowed that the temple was consecrated in an extraordinary manner, we have no mention either in Scripture or Jewish writers of the consecration of their synagogues, to which our churches properly succeed\*. And after all, it is no conclusive way of arguing, to derive a Christian institution from the practice of the Jewish church, because many of their ordinances were temporary, ceremonial, and abolished by the coming of Christ.

From the beginning of Christianity, we have no credible authority for consecrating churches for three hundred years†. Eusebius, in his life of Constantine the Great, indeed mentions his consecrating a temple that he built over our Saviour's sepulchre at Jerusalem; but how? with prayers, disputations, preaching, and exposition of Scripture, as he expressly defines it, cap. 45. Here were no processions, no knocking at the doors by the bishop, crying, "Open, ye everlasting doors;" nor casting dust or ashes into the air, and pronouncing the ground holy; no reverencing towards the altar, nor a great many other inventions of latter ages: no, these were not known in the Christian church till the very darkest times of Popery; nay, in those very dark times, we are told by Otho the pope's legate, in his Ecclesiastical Constitutions, that in the reign of king Henry III. there were not only divers parish-churches but some cathedrals in England, which had been used for many years, and yet never consecrated by a bishop. But it is plain to a demonstration, that the archbishop's method of consecrating churches is a modern Popish invention; for it is agreed by Gratian, Platina, the centuriators, and others, that pope Hyginus, Gelasius, Silvester, Felix, and Gregory, were the first inventors and promoters of it; and it is no where to be found but in the Roman pontifical, published by command of pope Clement VIII. de Ecclesiæ Dedicatione, p. 209. 280, for which reasons it was exploded and condemned by our first reformers, and particularly by bishop Pilkington in his comment upon Haggai, chap. i. ver. 7, 8, and archbishop Parker, who in his *Antiq. Britan. ex-*

\* Prynn, p. 115. 499. &c.

† Ibid. p. 501.

pressly condemns the archbishop's method of consecration as Popish and superstitious, p. 85—87\*.

But the archbishop says, if churches are not consecrated they cannot be holy, whereas many places that were never consecrated are styled holy, as "the most holy place," and the "holy city Jerusalem;" and our homilies say, that the church is called holy, not of itself, but because God's people resorting thither are holy, and exercise themselves in holy things; and it is evident that sanctification, when applied to places, is nothing else but a separating them from common use to a religious and sacred one, which may be done without the superstitious method above mentioned; and though the archbishop avers he had not his form of consecration from the Roman pontifical, he acknowledges he had it from bishop Andrews, who could have it no where else †.

As for consecrating altars, pattens, chalices, altar-cloths, and other altar-furniture, their original is no higher than the Roman missal and pontifical, in both which there are particular chapters and set forms of prayer for this purpose; but to imagine that these vessels may not be reputed holy, though separated to a holy use, unless thus consecrated, is without any foundation in reason or Scripture, and contrary to the practice of the church of England, and the opinion of our first reformers ‡.

To the archbishop's account of feasts of dedication we answer as before, that an example out of the Jewish law is no rule for the Christian church. Ezra kept a feast at the dedication of the temple, when it was rebuilt, and offered a great many burnt-offerings, (Ezra vi. 16, 17,) but it was not made an annual solemnity; for the feast of dedication, mentioned John x. 22, was not of the dedication of the temple, but of the altars, instituted by Judas Maccabeus, to be kept annually by the space of eight days, (1 Macc. iv. 56. 59,) which being of no divine institution, but kept only by the superstitious Jews, not by Christ or his apostles (who are only said to be at Jerusalem at that time), can be no precedent for our modern consecrations §.

Pope Felix and Gregory are the first that decreed the annual observation of the dedication of churches since our Saviour's time, which were observed in England under the names of wakes or revels, but were the occasion of so much idleness and debauchery, that king Henry VIII., anno 1536, restrained them all to the first Sunday in October, not to be kept on any other day; and afterward, by the statute 5 and 6 Edward VI. cap. 8, of holy days, they were totally abolished. But these feasts being revived again by degrees, in sundry places of this realm, and particularly in Somersetshire, judge Richardson, when he was on the circuit, at the request of the justices of the peace for the county, published an order for suppressing them; but was

\* Pryne, p. 115—117.  
‡ *id.* p. 65, &c. 467. 470.

† *Ibid.* p. 502.  
§ *Ibid.* p. 128.



obliged the next year as publicly to revoke it, and to declare such recreations to be lawful; and as a farther punishment on the judge, the archbishop obtained his removal from that circuit. It is very certain, that at these revels there were a great many disorders; as drunkenness, quarrelling, fornication, and murder, it is therefore very unlikely they should answer any good purpose, and how fit they were to succeed the public devotions of the Lord's day, we shall leave to your lordships' consideration.

(3.) The managers charged the archbishop farther, "with giving orders to sir Nath. Brent, his vicar-general, to enjoin the churchwardens of all parish churches within his diocese, that they should remove the communion-table from the middle of the chapel to the upper end, and place it in form of an altar, close to the wall, with the ends north and south, and encompass it with rails, according to the model of cathedrals. They objected likewise to his furnishing the altar in his own chapel, and the king's at Whitehall, with basins, candlesticks, tapers, and other silver vessels, not used in his predecessor's time; and to the *credentia* or side-table, in conformity to the Roman ceremonial, on which the elements were to be placed on a clean linen cloth before they were brought to the altar to be consecrated; and to the hanging over the altar a piece of arras with a large crucifix \*."

The archbishop answered, that the placing the communion-table at the east end of the chancel, was commanded by queen Elizabeth's injunctions, which say, that the holy table shall be set in the place where the altar stood, which, all who are acquainted with antiquity know, was at the east end of the chancel, with the ends north and south, close to the wall, and thus they were usually placed both in this and other churches of Christendom; the innovation therefore was theirs who departed from the injunctions, and not mine who have kept to them. Besides, altars, both name and thing, were in use in the primitive churches long before Popery began; yea, they are to be found both in the Old and New Testament; and that there can be no Popery in railing them in, I have proved in my speech in the star-chamber. However, I aver, that I gave no orders nor directions to sir Nath. Brent, my vicar-general, neither by letter nor otherwise, to remove or rail in communion-tables in all parish-churches; and I desire sir Nath. may be called to testify the truth upon his oath. Sir Nath. being sworn, the archbishop asked him upon his oath, whether he had ever given him such orders? To which he replied, "My lords, upon the oath I have taken, I received an express direction and command from the archbishop himself to do what I did of this kind, otherwise I durst never have done it†." The archbishop insisting that he never gave him such orders, and wondering he should be so unworthy as to affirm it upon oath, sir Nath. produced the fol-

\* Prynn, p. 62. 91, &c.

† Laud's Hist. p. 316.

lowing letter under the archbishop's own hand, directed to himself at Maidstone.

" Sir,

" I require you to command the communion-table at Maidstone to be placed at the east or upper end of the chancel, and there railed in, and that the communicants there come up to the rail to receive the blessed sacrament; and the like you are required to do in all churches, and in all other places where you visit metropolitically.

" W. CANT."

To which the archbishop, being out of countenance, made no other reply, but that he had forgot it \*.

As to the furniture upon the altar, he added, that it was no other than was used in the king's chapel at Whitehall before his time, and was both necessary and decent; as is likewise the *credentia*, or side-table, the form of which he took from bishop Andrews's model; and the piece of arras that was hung up over the altar in Passion-week, he apprehended was very proper for the place and occasion, such representations being approved by the Lutherans, and even by Calvin himself, as had been already shown.

The managers replied to the antiquity of altars, that though the name is often mentioned in Scripture, yet it is never applied to the Lord's table; but altars and priests are put in opposition to the Lord's table and ministers of the New Testament, 1 Cor. ix. 13, 14. Christ himself celebrated the sacrament at a table, not at an altar, and he calls it a supper, not a sacrifice; nor can it be pretended by any law or canon of the church of England, that it is called an altar more than once, stat. 1 Edw. VI. cap. 1, which statute was repealed within three years, and another made, in which the word altar is changed into table. It is evident from the unanimous suffrage of most of the fathers that lived within three hundred years after Christ, and by our most learned reformers, that for above two hundred and fifty years after Christ, there were no altars in churches, but only tables; pope Sixtus II. being the first that introduced them †; and the canons of the Popish council of Aix, 1583, being the only ones that can be produced for railing them in; one of which prescribes thus, "*unumquodque altare sepiatur omnino septo ferreo, vel lapideo, vel ligneo ‡.*" " Let every altar be encompassed with a rail of iron, stone, or wood." The text, Heb. xiii. 10, " We have an altar whereof they have no right to eat which serve the tabernacle," is certainly meant of Christ himself, and not of the altar of wood or stone, as our Protestant writers have proved at large; agreeably to which all altars in churches were commanded to be taken away and removed, as superstitious and Popish, by public laws and injunctions at the Reformation, and tables were set up in their stead,

p. 88.

† Ibid. p. 480, 481.

‡ Ibid. p. 62.



which continued till the archbishop was pleased to turn them again into altars.

But the archbishop is pleased to maintain, that the queen's injunctions prescribe the communion-table to be set in the place where the altar stood, and that this was anciently at the east end of the choir; whereas we affirm, that he is not able to produce one precedent or authority in all antiquity for this assertion; on the contrary, we are able to demonstrate to your lordships, that altars and Lord's tables, amongst Jews and Christians, stood anciently in the midst of their churches or choirs\*; where the people might sit, stand, and go conveniently round them. So it was certainly in the Jewish church, as every one allows; and it was so in the Christian church, till the very darkest times of Popery, when private masses were introduced†. Eusebius, Dionysius Areopagita, Chrysostom, Athanasius, Augustine, &c. affirm, that the table of the Lord stood in the middle of the chancel, so that they might compass it about; nay, Durandus, a Popish writer, informs us, that when a bishop consecrates a new altar, he must go round about it seven times; by which it is evident, it could not stand against a wall; but our most eminent writers against Popery, as Bucer, bishop Jewel, bishop Babington, bishop Morton, and archbishop Williams, have proved this so evidently, that there is no room to call it in question; and we are able to produce several authorities from Venerable Bede, St. Austin the first archbishop of Canterbury, and others, that they stood thus in England in their times.

Nor do queen Elizabeth's injunctions in the least favour the archbishop's practice, of fixing the communion-table to the east wall with rails about it, for they order the table to be removed when the sacrament is to be distributed, and placed in such sort within the chancel, as whereby the minister may be more conveniently heard of the communicants, and the communicants may more conveniently, and in greater numbers, communicate with him. Now, if it be to be removed at the time of communion, it is absurd to suppose it to be fixed to the wall, and encompassed with rails. Besides, the rubric of the Common Prayer-book, and the eighty-second canon of 1603, appoint the communion-table to be placed in the body of the church, where the chancel is too small, or near the middle of the chancel, where it is large enough; and thus they generally stood in all churches, chapels, and in Lambeth-chapel itself, till the archbishop's time, which puts the matter out of question‡. And if it be remembered, that the saying of private masses brought in this situation of altars into the church

\* Choir or chorus has its denomination from the multitude standing round about the altar [*in modum coronæ*] in the form of a ring or circle. In the ancient liturgies they prayed for all those that stood round about the altar.—The priests and deacons stood round about the altar when they officiated, and so did the bishops when they consecrated it.

† Prynne, p. 482. 484. Vide Bishop Williams's Life, p. 109.

‡ Prynne, p. 467. 481.

of Rome, contrary to all antiquity, the archbishop's imitating them in this particular must certainly be a Popish innovation.

The furniture upon the altar, which the archbishop pleads for, is exactly copied from the Roman pontifical and the Popish council of Aix, and is condemned by our homilies and queen Elizabeth's injunctions, which censure, condemn, and abolish, as superstitious, ethnical, and Popish, all candlesticks, trindals, rolls of wax, and setting up of tapers, as tending to idolatry and superstition, *injunct.* 2. 23. 25. Therefore, instead of conforming to the chapel at Whitehall, he ought, as dean of that chapel, to have reformed it to our laws, homilies, and injunctions.

The like may be said of the *credentia* [or side-table], which is taken expressly out of the Roman Ceremonial and pontifical, and is used amongst the Papists only in their most solemn masses. It was never heard of in any Protestant church, nor in the church of England, till the archbishop's time; and as for the stale pretext of his having it from bishop Andrews, if it be true, we are certain that bishop could have it no where else but from the Roman missal\*.

The arras hangings, with the picture of Christ at his last supper, with a crucifix, are no less Popish than the former, being enjoined by the Roman Ceremoniale, *edit. Par. 1633, lib. 1. cap. 12. p. 69, 70*, in these words, "Quod si altare parieti adhæreat, applicari poterit ipsi parieti supra altare pannus aliquis cæteris nobilior et speciosior, ubi intextæ sint D. N. Jesu Christi, aut gloriæ Virginis, vel sanctorum imagines." "If the altar be fixed to the wall, let there be hangings more noble and beautiful than the rest fastened upon the wall over the altar, in which are wrought the images of Christ, the blessed Virgin, or the saints." Besides, these things being condemned by our statutes, homilies, and injunctions, as we have already proved, ought not certainly to have been introduced by a prelate, who challenges all that is between heaven and hell, justly to tax him in any one particular of favouring Popish superstition or idolatry.

"Another innovation charged on the archbishop, was his introducing divers superstitions into divine worship, as bowing towards the altar, bowing at the name of Jesus, enjoining people to do reverence at their entrance into church, reading the second service at the communion-table, standing up at the *Gloria Patriæ*, and introducing the use of copes and church-music. They objected farther, his repairing old crucifixes, his new statutes of the university of Oxford, among which some were arbitrary, and others were superstitious; of the former sort, are the imposing new oaths; the statute of banishment; referring some misde-

\* Fryne, p. 63. 468.

+ "It is observable (remarks Mrs. Macaulay), that the most obnoxious of those ceremonies which Laud so childishly insisted on were established at the Restoration, and have been ever since regularly practised in the church; and that many of his most offensive measures have been adopted by revolution ministers, such as the nominating clergymen to be justices of peace, with restraints laid on marriages." *History of England*, vol. 4. p. 135, the note.—ED.



meanours to arbitrary penalties, and obliging students to go to prison on the vice-chancellor's or proctor's command. Of the latter sort, are bowing to the altar, singing the litany, and reading Latin prayers in Lent; together with the above-mentioned superstitions in the manner of divine worship\*."

The archbishop answered, that bowing in divine worship was practised among the Jew (2 Chron. xxix. 29); and the Psalmist says, "O come, let us worship and bow down: let us kneel before the Lord our Maker" (Psal. xcv. 6): that it was usual in queen Elizabeth's time; and that the knights of the garter were obliged to this practice by the orders of their chapter. Besides, the altar is the chief place of God's residence on earth, for there it is, "This is my body;" whereas in the pulpit it is only, "This is my word." And shall I bow to men in each house of parliament, and not bow to God in his house whither I come to worship him? Surely I must worship God, and bow to him, though neither altar nor communion-table be in the church†.

Bowing at the name of Jesus is prescribed in direct terms by queen Elizabeth's injunctions, no. 12, and by the eighteenth canon of our church; and though standing up at the *Gloria Patri* is not prescribed by any canon of the church, it is nevertheless of great antiquity; nor is the reading the second service at the communion-table an innovation, it being the constant practice in cathedrals, and warranted by the rubric.

The use of copes is prescribed by the twenty-fourth canon of 1603, which says, "that in all cathedrals, and collegiate churches, the communion shall be administered on principal feast-days, sometimes by the bishop if present, sometimes by the dean, and sometimes by the canon or prebendary, the principal minister using a decent cope; so that here is no innovation, any more than in the use of organs, which our church has generally approved, and made use of."

As to the statutes of the university of Oxford, it is honour more than enough for me, that I have finished and settled them; nor did I any thing in them but by the consent of the convocation; and as to the particulars, there is nothing but what is agreeable to their charters, and the ancient custom and usage of the university‡.

The managers replied, that bowing to the altar is Popish, superstitious, and idolatrous, being prescribed only by Popish canons, and introduced on purpose to support the doctrine of transubstantiation, which the archbishop's practice seems very much to countenance, when at his coming up to the altar to consecrate the bread, he makes three low bows, and at his going away three more, giving this reason for it, "Quia hoc est corpus meum," "Because this is my body;" whereas he does not bow to the pulpit, because a greater reverence is due to the body than to the word of the Lord§. Besides, it has no foundation in antiquity,

\* Prynne, p. 72, &c. † Laud's History, p. 313. 361. ‡ Ibid. p. 304.

§ Prynne, p. 63, 64. 474. 477. 487.

nor has it been approved by any Protestant writers, except the archbishop's creatures, such as Dr. Heylin, Pocklington, &c. and has been condemned by the best writers, as Popish and superstitious. The black book of the knights of the garter at Windsor, is a sorry precedent for a Protestant archbishop to follow, being made in the darkest times of Popery, viz. in the reign of Henry V.; and if they bow *Deo et altari*, to God and to his altar, as the archbishop in the star-chamber is of opinion Christians ought to do, we cannot but think it both Popish and idolatrous. His passages of Scripture are nothing to the purpose, for kneeling before the Lord our maker has no relation to bowing to the altar; nor is there any canon or injunction of the church to support the practice.

The archbishop confesses, that there is neither canon nor injunction for standing up at the *Gloria Patri*, which must therefore be an innovation, and is of no greater antiquity than the office of the mass, for it is derived from the *Ordo Romanus*, as appears from the works of Cassander, p. 98\*. And though bowing at the name of Jesus be mentioned in the canons, yet these canons are not binding, not being confirmed by parliament†, especially since the homilies, the Common Prayer-book, the articles of religion, and the book of ordination, which are the only authentic rules of the church, make no mention of it; nor was it ever introduced before the time of pope Gregory X. who first prescribed it; and from the councils of Basil, Senes, and Augusta, it was afterward inserted in the Roman Cereemoniale; besides, our best Protestant writers have condemned the practice.

Reading the second service at the altar, when there is no communion, is contrary to the canons of 1571 and 1603, contrary to the queen's injunctions, the homilies, the rubric in the Common Prayer-book, and was never practised in parish-churches till of late, though used in some cathedrals, where the rubric enjoins the communion to be administered every Sunday in the year, which being omitted, the second service at the table was left to supply it. The Lord's table was ordained only to administer the sacrament, but the epistle and gospel, which are the chief parts of the second service, are appointed to be read with the two lessons in the reading pew‡.

As for cups, neither the Common Prayer-book, nor book of ordination, nor homilies confirmed by parliament, nor queen Elizabeth's injunctions in her first year, make any mention of them, though they are evidently derived from the Popish wardrobe, and the last Common Prayer-book of king Edward VI. expressly prohibits them§. The twenty-fourth canon of 1403,

\* Rymer, p. 64.

† Dr. Gray contends here, that the canons of a convocation duly licensed by the king, when confirmed by royal authority, are properly the ecclesiastical laws of the church of England, and are as binding as the statutes of parliament.—Ed.

‡ Rymer, p. 492.

§ Ibid. p. 64. 472, 480.



enjoins only the chief minister to wear a cope at the administration of the sacrament, whereas the archbishop prescribed them to be worn by others besides the chief minister, and as well when the sacrament was not administered as when it was. But, as we observed before, those canons not being confirmed by parliament, expired with king James, and there can be no warrant for their present use. Nor is the use of music in churches, or chanting of prayers, of any great antiquity, being first introduced by pope Vitalian, A.D. 666, and encouraged only by Popish prelates\*.

And though the archbishop pleads, that the statutes of Oxford are agreeable to ancient custom and usage, we affirm they contain sundry innovations, not only with regard to the liberty of the subject, but with regard to religion, for Latin prayers were formerly said only on Ash-Wednesdays before the bachelors of arts, whereas now none others are to be said throughout all Lent; the statute for singing in solemn processions was made in time of Popery, and renewed in these statutes to keep up the practice of such superstitious perambulations; and though the archbishop with his wonted assurance wonders what these things have to do with treason, we apprehend, that if they appear so many proofs of a design to subvert† the established religion of the church of England, they will be judged so in the highest degree‡.

Farther, they charged the archbishop with advising the king "to publish his declaration for the use of sports on the Lord's day, in order to suppress afternoon-sermons; with obliging the clergy of his diocese to read it in their pulpits, and punishing those that refused §."

The archbishop answered, that he had the king's warrant for printing the book of sports; that there is no proof that it was by his procurement, nor that it was done on purpose to take away afternoon-sermons, since these recreations are not allowed till they are over; besides, the declaration allows only lawful recreations, which is no more than is practised at Geneva, though for his own part he always observed strictly the Lord's day. What he enjoined about the reading the declaration was by his majesty's

\* Prynne, p. 65.

† Mrs. Macaulay thinks, that to the charge of endeavouring to subvert the established religion, and to set up Popish superstition and idolatry, the archbishop was particularly strong in his defence, and the allegations to support the charge were particularly vague and trifling. "The truth is (as that author observes), those superstitious ceremonies which he with so much blind zeal had endeavoured to revive, and which were so justly ridiculed and abhorred by the more enlightened Protestants, were the discipline of the first reformers in this country, and had the sanction both of the civil and ecclesiastical power: reformation had begun in England at the wrong end; it was first adopted and modelled by government, instead of being forced upon government by the general sense of the people; and thus, to further the ambitious views of the monarch, and to gratify the pride of the prelacy, a great part of the mystery of Popery was retained in the doctrine, and a great part of the puppet shows of the Papists in the discipline, of the church of England." *History of England*, vol. 4. p. 135.—Ed.

‡ Prynne, p. 478.

§ Ibid. p. 128. 154. 382.

command, and he did not punish above three or four for not reading it \*.

The commons replied, that it was evident, by the archbishop's letter to the bishop of Bath and Wells, that the declaration was printed by his procurement, the warrant for printing it being written all with his own hand, and without date, and therefore might probably be obtained afterward†; moreover, some of the recreations mentioned in it are unlawful on the Lord's day, according to the opinion of fathers, councils, and imperial laws; and though Calvin differs from our Protestant writers about the morality of the sabbath, yet he expressly condemns dancing and pastimes on that day. As for his grace's own strict observation of the Lord's day, it is an averment without truth, for he sat constantly at the council-table on that day; and it was his ordinary practice to go to bowls in the summer-time, and use other recreations upon it; nor is it probable, that the archbishop would have punished conscientious ministers for not reading the book of sports, if the thing had been disagreeable to his practice, especially when there is no warrant at all in the declaration that ministers should publish it, or be punished for refusing it; and that he punished no more, was not owing to his clemency who gave command to suspend all that refused, but the clergy's compliance: for so zealous was this archbishop and some of his brethren in this affair, that it was inserted as an article of inquiry in their visitations, whether the king's declaration for sports has been read and published by the minister? And defaulters were to be presented upon oath. Now we appeal to the whole Christian world, whether ever it has been known, that any who have been called fathers of the church, have taken so much pains to have the Lord's day profaned, as first to advise the king to publish a declaration to warrant it, then to enjoin the clergy to read it in their pulpits, and to suspend, sequester, and deprive, all whose consciences would not allow them to comply, and this not only contrary to the laws of God, but to the laws of the land.

The reader will, no doubt, remark upon this part of the archbishop's trial, that those rites and ceremonies which have bred such ill blood, and been contended for with so much fierceness as to disturb the peace of the church and divide its communion, have no foundation in Scripture, or primitive antiquity, taking their rise for the most part in the darkest and most corrupt times of the Papacy. I speak not here of such rites as are established by law, as the cross in baptism, and kneeling at the communion, &c. because the commons could not charge these on the archbishop as criminal. And it will be observed farther, that when men claim a right to introduce ceremonies for decency of worship, and impose them upon the people, there can be no bounds to a fruitful

\* Laud's History, p. 343, 344.

† Prynne, p. 505.



invention. Archbishop Laud would, no doubt, by degrees, have introduced all the follies of the Roman church; and admitting his authority to impose rites and ceremonies not mentioned in Scripture, it is not easy to give a reason why fifty should not be enjoined as well as five.

The managers went on next to the second branch of their charge, to prove the archbishop's design to subvert the Protestant religion, by countenancing and encouraging sundry doctrinal errors in favour of Arminianism\* and Popery.

And here they charged him, first, "with being the great patron of that part of the clergy who had declared themselves in favour of these errors, and with procuring their advancement to the highest stations in the church, even though they were under censure of parliament, as Dr. Manwaring, Montague, &c. They averred, that the best preferments in his majesty's gift, ever since the archbishop's administration in 1627, had by his advice been bestowed on persons of the same principles; and that he had advised the king to publish a declaration, prohibiting the clergy to preach on the five controverted points, by virtue of which the mouths of the orthodox preachers were stopped, and some that ventured to transgress the king's declaration were punished in the high-commission, when their adversaries were left at large to spread their opinions at their pleasure."

The archbishop answered, that he had not defended any points of Arminianism, though he heartily wished, for the peace of Christendom, that these differences were not pursued with such heat and animosity†. He confessed that he had been taxed in a declaration of the house of commons as a favourer of Arminians, but without proof, and he took it as a very great slander. Nor had he, to the best of his remembrance, advanced any such to ecclesiastical livings; if they proved so afterward it was more than he could foresee; but he had preferred divers orthodox ministers, against whom there was no exception. He denied that he had any hand in the preferment of Dr. Manwaring or Montague, who were

\* The reader has seen, in the preceding part of this reign, and in that of James I., how Arminianism became connected with the politics of the time. There is no natural or necessary union between Arminianism and despotism. And at the same time that the court in England protected and patronized the Arminians, and in return received from them a sanction to its arbitrary views; the reverse took place in Holland: where the Arminians, favoured by the magistrates of the States, opposed the aspiring designs of the stadtholder Maurice; and the Calvinists, on the contrary, who were there called Gomarists, espoused his interest, and seconded his ambitious and arbitrary measures against the liberty of their country. These have continued the dominant party to this day: and the most violent of them have not only the sway in the church, but their favour is courted by the prince, who finds his interest advanced by a connexion with them. In this instance the Dutch Calvinists, while they maintain all the rigour of his theological system, have greatly and ignominiously deviated from the political principles of their illustrious founder; whose character as a legislator, more than as a divine, displayed the strength of his genius; and whose wise edicts were dictated by genuine patriotism and the spirit of liberty. Appendix to the 12th vol. of the Monthly Review enlarged, p. 523; and Rousseau's Social Compact, p. 112, note.—Ed.

† Laud's Hist. p. 352. Prynne, p. 529.

under censure of parliament, nor is the Pocket-book a sufficient proof of it; he was of opinion, that Neal, Lindsey, Wren, Bancroft, Curle, and others mentioned in the charge, were worthy men, and every way qualified for their preferments, though it does not appear he had any hand in bestowing them. As for the king's declaration prohibiting the clergy to preach the five points, it was his majesty's own, and not his; and since the publishing of it he had endeavoured to carry it with an equal hand, and to punish the transgressors of it on one side as well as the other\*.

The commons replied, that they wondered at the archbishop's assurance in denying his endeavours to promote Arminianism in the church; that the remonstrance of the commons was a sufficient evidence of his guilt, being confirmed by many proofs, though his answer to it proved so full of bitterness and sauciness, as throwing scandal on the whole representative body of the nation†.

As to the particulars, they say, that his preferring Mr. Downham and Taylor, orthodox men, to some benefices, was only a blind to cover his advancing so many popishly-affected clergymen. It is known to all the world that Montague and Manwaring were his creatures; the Pocket-book says, that his majesty's royal assent to their preferment was signed by order of this prelate (when only bishop of London), and himself was the person that consecrated them. It would be too long to go into particulars, but every body knows, that the disposal of all or most of the bishopricks, deaneries, and considerable benefices since the year 1627, have been under the direction of this archbishop; and what sort of persons have been preferred is apparent to all men, by the present distracted condition of the church and universities.

The king's declaration for prohibiting preaching on the five controverted points, was an artifice of the archbishop's to introduce the Arminian errors, by preventing orthodox ministers from awakening the minds of people against them. And whereas he avers, that he has carried it with an even hand, and could bring witnesses from Oxford to prove it, we challenge him to name one scholar or Minister that was ever imprisoned, deprived, silenced, prosecuted in the high-commission, or cast out of favour on this account; there was indeed one Rainsford an Arminian, who, in the year 1632, was obliged publicly to confess his error in disobeying his majesty's declaration, and that was all his punishment; whereas great numbers of the other side have been persecuted, so as to be forced to abandon their native country, at a time when the most notorious and declared Arminians were advanced to the best preferments in the church, as Montague made a bishop, Harsnet an archbishop, Lindsey promoted to two bishopricks, Potter to a deanery, and Duppa to a deanery and bishoprick, and made tutor to the prince, &c.‡

The managers objected farther to the archbishop, "that having

e, p. 308.

† Ibid. p. 529.

‡ Ibid. p. 172, 511.



obtained the sole licensing of the press, by a declaration of the star-chamber in the year 1637, he had prohibited the reprinting sundry orthodox books formerly printed, and sold by authority; as the Geneva Bible with notes, Gellibrand's Protestant Almanack, in which the Popish saints were left out of the calendar, and Protestant martyrs put in their places; that his chaplains had refused to license the Confession of Faith of the Palatine Churches, Fox's Book of Martyrs, Bishop Jewel's works, some part of Dr. Willet's, and the History of the Gunpowder-Treason, as was attested by the clerks of Stationers' hall; and this reason given for the refusal, that we were not now so angry with the Papists as formerly, and therefore it was not proper to exasperate them, there being a design on foot to win them by mildness. That the archbishop had suppressed sundry new books written against Arminianism and Popery, and had castrated others, expunging such passages as reflected upon the superstition and idolatry of that church \*; a large catalogue of which the commons produced; many authors appeared in maintenance of this part of the charge, and among others, Dr. Featly, Dr. Clarke, Dr. Jones, Mr. Ward, &c. † It was said in particular, "that he had expunged divers passages, which bore hard upon the Papists, out of the collection of public prayers for a general fast against the plague; and that in the prayer-book appointed by authority for the 5th of November, instead of 'Root out that Babylonish and antichristian sect, whose religion is rebellion, whose faith is faction, and whose practice is murdering of soul and body;' he had altered that passage, and artfully turned it against the Puritans, thus, 'Root out the antichristian sect of them, who turn religion into rebellion, and faith into faction.'

"And as the archbishop had castrated some books, because they refuted the doctrines he would countenance; so he gave full licence to others, wherein the grossest points of Arminianism and Popery were openly asserted; as Cosins's Hours of Prayer, Sale's Introduction to a Devout Life, Christ's Epistle to a Devout Soul, and others, in which the following doctrines were maintained; (1.) The necessity of auricular confession, and the power of priests to forgive sins. (2.) The lawfulness and benefit of Popish penance, as wearing hair-cloth, and other corporal punishments. (3.) Absolute submission to the commands of priests as directors of conscience. (4.) That in the sacrament, the body and blood of Christ is a true and proper sacrifice; that the natural body and blood of Christ is really and substantially present in the eucharist; and that there can be no true sacrament or consecration of it where there is no altar. (5.) That crucifixes, images, and pictures, may be lawfully set up in churches, and ought not to be removed. (6.) That the pope is not antichrist. (7.) That there are venial sins. (8.)

\* Prynnæ, p. 179, 180, 182, &c.

† Ibid. p. 254, 255, 257, 258, &c.

That there is a purgatory or *limbus patrum*. (9.) That the relics of saints are to be preserved and revered. (10.) That the Virgin Mary and saints are to be invoked and prayed to. (11.) That the church of Rome is the mother-church, and never erred in fundamentals. (12.) That there are written traditions of equal authority with the word of God\*." To which were added, sundry articles of Arminian doctrine, as of free-will, total and final apostasy from grace; examples of which the managers produced from the several authors.

And as a farther encouragement to Popery, they objected his grace's "conniving at the importation of Popish books, and restoring them to the owners when seized by the searchers, contrary to the statute of 3 Jacobi. I. by which means many thousands of them were dispersed over the whole kingdom; whereas he gave the strictest commands to his officers to seize all imported Bibles with notes, and all books against Arminian and Popish innovations. All which put together amount to no less than a demonstration of the archbishop's design to subvert our established religion, by introducing doctrinal Arminianism and Popery †."

The archbishop answered, that the decree of the star-chamber for regulating the press was the act of the whole court, and not his; and he is still of opinion, that it was both a necessary and useful act, being designed to suppress seditious, schismatical, and mutinous books ‡. As to the particulars, he replied, that the Geneva Bible was only tolerated, not allowed by authority, and deserved to be suppressed for the marginal note on Exod. i. 17, which allows disobedience to the king's command. Gellibrand's Almanack had left out all the saints and apostles, and put in those named by Mr. Fox, and therefore deserved to be censured. As to the Book of Martyrs, it was an abridgment of that book I opposed (says his grace), lest the book itself should be brought into disuse, and lest any thing material should be left out. But the licensing of books was left in general to my chaplains, for an archbishop had better grind, than take that work into his own hands; and whereas it has been inferred, that what is done by my chaplain must be taken as my act, I conceive no man can by law be punished criminally for his servant's fact, unless it be proved that he had a hand in it.

The like answer the archbishop gave to the castrating and licensing books,—his chaplains did it; and since it was not proved they did it by his express command, they must answer for it. He admits, that he altered the prayers for the 5th of November, and for the general fast by his majesty's command; and he is of opinion the expressions were too harsh, and therefore ought to be changed.

He denied that he ever connived at the importation of Popish

\* Pryne, p. 188. 202.

† Ibid. p. 349.

‡ Laud's History, p. 350.



books; and if any such were restored to the owners, it was by order of the high-commission, and therefore he is not answerable for it.

The commons replied, that the decree for regulating the press was procured by him with a design to enlarge his jurisdiction; and though some things in it might deserve the thanks of the stationers, they complain loudly that books formerly printed by authority, might not be reprinted without a new licence from himself\*.—As to particulars, they affirm that the Geneva Bible was printed by authority of queen Elizabeth and king James, *cum privilegio*; and in the 15th Jacob. there was an impression by the king's own printer, notwithstanding the note upon Exodus, which is warranted both by fathers and canonists. Gellibrand's Almanack was certainly no offence, and therefore did not deserve that the author should be tried before the high-commission; and if the queen and the Papists were offended at it, it was to be liked never the worse by all good Protestants. The archbishop is pleased, indeed, to cast the whole blame of the press on his chaplains; but we are of opinion (says the managers) that the archbishop is answerable for what his chaplains do in this case; the trust of licensing books being originally invested in him, his chaplains being his deputies, he must answer for them at his peril. When the archbishop of York in the reign of Edward I. was questioned in parliament, for excommunicating two servants of the bishop of Durham, employed in the king's service, the archbishop threw the blame on his commissary, who was the person that excommunicated them; but it was then resolved in parliament, that the commissary's act was his own, and he was fined four thousand marks to the king. Now the commissary was an officer established by law; but the archbishop's chaplains are not officers by law, and therefore dare not license any thing without his privity and command.

Besides, it is apparent these books were castrated by the archbishop's approbation, for otherwise he would have punished the licencers, printers, and publishers, as he always did when information was given of any new books published against the late innovations. His grace has forgot his refusing to license the Palatine Confession of Faith, which is his peculiar happiness when he can make no answer; and it looks a little undutiful in him to cast the alteration of the prayers for November 5 on the king, when every body knows by whom the king's conscience was directed †.

And whereas the archbishop denies his conniving at the importation of Popish books, he does not so much as allege that he ordered such books to be seized as he ought to have done; he confesses that such books as were seized, had been restored by order of the high-commission, whereas it has been sworn to be done by his own order; but if it had not, yet he being president

\* Pryune, p. 515.

† Ibid. p. 522.

of that court ought to have crossed those orders, that court not daring to have made any such restitutions without his consent: so that we cannot but be of opinion that the whole of this charge, which shews a manifest partiality on the side of Arminianism and Popery, and the strongest and most artificial attempts to propagate these errors in the nation, still remains in its full strength.

The managers went on to charge the archbishop with his severe prosecution of those clergymen, who had dared to preach against the dangerous increase of Arminianism and Popery, or the late innovations; they instanced in Mr. Chauncy, Mr. Workman, Mr. Davenport, and others; some of whom were punished in the high-commission for not railing in the communion-table, and for preaching against images: and when Mr. Davenport fled to New-England to avoid the storm, the archbishop said, his arm should reach him there. They objected farther, his suppressing afternoon-sermons on the Lord's day, and the laudable design of buying in impropriations, which was designed for the encouraging such lecturers\*.

The archbishop answered, that the censures passed on the ministers above mentioned was the act of the high-commission, and not his: and he confesses their sentences appeared just and reasonable, inasmuch as the passages that occasioned them were against the laudable ceremonies of the church, against the king's declaration, tending to infuse into the minds of the people groundless fears and jealousies of Popery, and to cast aspersions on the governors of the church; that therefore, if he did say, his arm should reach Mr. Davenport in New-England, he sees no harm in it, for there is no reason that the plantations should secure offenders against the church of England, from the edge of the law; and he meddled with none except such as were Puritanical, factious, schismatical, and enemies to the good orders of the church†.

As to the suppressing afternoon-sermons, the instructions for turning them into catechising was before his time, and he could not but approve of the design, as a proper expedient for preserving peace between ministers and people, the lecturers being for the most part factious, and the occasion of great contentions in the parishes where they preached‡.

He confessed, that he overthrew the design of buying up impropriations, and thanked God he had destroyed it, because he conceived it a plot against the church, for if it had succeeded, more clergymen would have depended on these feoffees than on the king, and on all the peers and bishops besides; but he proceeded against them according to law, and if the sentence was not just, it must be the judges' fault and not his.

The commons replied, that it was notorious to all men how cruel he had been towards all those who had dared to make a stand against his proceedings. They put him in mind of Pryune,

\* Pryune, p. 361, 362, &c. † Laud's Hist. p. 332. 348. ‡ Pryune, p. 537.



Burton, and Bastwick, and of great numbers whom he had forced into Holland, and into the plantations of America, to avoid the ruin of themselves and families; yea, so implacable was this prelate, that he would neither suffer them to live in the land nor out of it, an embargo being laid on all ministers going to New England; and if any such got over clandestinely, he threatened his arm should reach them there. In vain does he shelter his severe proceedings under the authority of the court, for if this plea be admitted, no corrupt judges or counsellors can be brought to justice for the most arbitrary proceedings; but in reality, the act of the court is the act of every particular person that gives his vote for it, and every individual member is accountable. Many instances of this might be produced; but there has been one very lately, in the case of ship-money, which is fresh in the memory of all men; and we do aver, that the sermons or books, for which the above-mentioned persons suffered so severely, were neither factious nor seditious, but necessary for these times, wherein the Protestant religion runs so very low, and superstition and Popery are coming in like a flood\*.

As to the instructions for suppressing afternoon-sermons, whensoever they were drawn up, it is evident he was the man that put them in execution, and levelled them against those conscientious persons who scrupled reading the prayers in their surplice and hood, or taking a living with cure of souls; all such persons, how orthodox soever in doctrine, how diligent soever in their callings, and pious in their lives, being reputed factious, schismatical, and unworthy of the least employment in the church†.

As to the impropriations, there was no design in the feoffees to render the clergy independent on the bishops, for none were presented but conformable men, nor did any preach but such as were licensed by the bishop; indeed, the design being to encourage the preaching of the word of God, the feoffees were careful to employ such persons as would not be idle; and when they perceived the archbishop was bent on their ruin, Mr. White went to his grace, and promised to rectify any thing that was amiss, if the thing itself might stand. But he was determined to destroy it, and by his mighty influence obtained a decree, that the money should be paid into the king's exchequer, by which an end was put to one of the most charitable designs for the good of the church, that has been formed these many years‡.

The last charge of the managers was, "his grace's open attempts to reconcile the church of England with the church of Rome, as appears, first, by the Papal titles he suffered the universities to give him in their letters, as 'sanctitas vestra,' your holiness; 'sanctissime pater,' most holy father; 'Spiritus Sancti effusissime plenus,' full of the Holy Ghost; 'summus pontifex, optimus maximusque interris,' &c. Agreeably to this he assumed to himself

\* Prynne, p. 335, &amp;c.

† Ibid. p. 370. 537, 538.

‡ Ibid. p. 537.

the title of patriarch, or pope of Great Britain, '*alterius orbis papa*;' which gave the Romanists such an opinion of him, that they offered him twice a cardinal's hat; though, as things then stood, he did not think it prudent to receive it\*. But sir H. Mildmay and sir N. Brent swore, that both at Rome and elsewhere, he was reputed a Papist in his heart†; which opinion was not a little confirmed, (1.) By his forbidding the clergy to pray for the conversion of the queen to the Protestant faith. (2.) By his owning the church of Rome to be a true church; by denying the pope to be antichrist, and wishing a reconciliation with her; and affirming that she never erred in fundamentals, no, not in the worst of times. (3.) By his sowing discord between the church of England and foreign Protestants, not only by taking away the privileges and immunities of the French and Dutch churches in these kingdoms, but by denying their ministers to be true ministers, and their churches true churches. (4.) By maintaining an intimate correspondence with the pope's nuncio and with divers priests and Jesuits, conniving at the liberties they took in the Clink, and elsewhere, and threatening those pursuivants who were diligent in apprehending them; to all which they added, the influence the archbishop had in marrying the king to a Papist, and his concealment of a late plot to reduce these kingdoms to Popery and slavery‡.

To this long charge the archbishop gave some general answers, in satirical and provoking language: My lords (says he), I am charged with an endeavour to reconcile the church of England to the church of Rome; I shall recite the sum of the evidence, and of the arguments to prove it. (1.) I have reduced several persons from Popery, whom I have named in my speech; ergo, I have endeavoured to bring in Popery. (2.) I have made a canon against Popery, and an oath to abjure it; ergo, I have endeavoured to introduce it. (3.) I have been twice offered a cardinalship and refused it, because I would not be subject to the pope; ergo, I have endeavoured to subject the church of England to him. (4.) I wrote a book against Popery; ergo, I am inclinable to it. (5.) I have been in danger of my life from a Popish plot; ergo, I cherished it, and endeavoured to accomplish it. (6.) I endeavoured to reconcile the Lutherans and Calvinists; ergo, I laboured to bring in Popery §.

To the particulars he replied, that whatever Papal power he had assumed, he had assumed it not in his own right, as the popes did, but from the king. That the style of holiness was given to St. Augustine, and others, and therefore not peculiar to the pope; why then should so grave a man as Mr. Brown (says he) disparage his own nation, as if it were impossible for an English bishop to deserve as good a title as another? As for the other titles, they must be taken as compliments for my having deserved

\* Prynne, p. 441.

† Ibid. p. 409, &c.

‡ Ibid. p. 539.

§ Laud's Hist. p. 285, 286, 325, &c. Prynne, p. 543. Laud's Hist. p. 418, 419.



well of the university; but after all, it is one thing to assume Papal titles, and another to assume Papal power. As to the title of patriarch, or pope of the other world; it is the title that Anselm says belongs to the archbishop of Canterbury, and not so great a one as St. Jerome gave to St. Augustine, when he wrote to him with this title, *Beatissimo papæ Augustino*. I confess I have been offered a cardinal's hat, but refused it, saying, I could not accept it till Rome was otherwise than it now is. If, after this, others will repute me a Papist, I cannot help it\*. I hope I shall not be answerable for their uncharitableness. Sir Henry Mildmay will witness how much I am hated and spoken against at Rome. It does not appear that I forbade ministers praying for the queen's conversion; but when I was told the queen was prayed for in a factious and seditious manner, I referred the matter to my visitors, and do acknowledge that Mr. Jones was punished in the high-commission on this account†.

To the objection, of the church of Rome's being a true church, I confess myself of that opinion, and do still believe, that she never erred in fundamentals, for the foundations of the Christian religion are in the articles of the creed, and she denies none of them; and it would be sad if she should, for "it is through her that the bishops of the church of England, who have the honour to be capable of deriving their calling from St. Peter, must deduce their succession‡." She is therefore a true church, though not an orthodox one; our religion and theirs is one in essentials, and people may be saved in either. It has not been proved, that I deny the pope to be antichrist, though many learned men have denied it; nor do I conceive that our homilies affirm it; and if they did, I do not conceive myself bound to believe every phrase that is in them. I confess, I have often wished a reconciliation between the churches of England and Rome in a just and Christian way, and was in hopes in due time to effect it; but a reconciliation without truth and piety I never desired§.

To the objection of the foreign Protestant churches, I deny that I have endeavoured to sow discord between them, but I have endeavoured to unite the Calvinists and Lutherans; nor have I absolutely unchurched them. I say indeed, in my book against Fisher, according to St. Jerome, No bishop, no church; and that none but a bishop can ordain, except in cases of inevitable necessity; and whether that be the case with the foreign churches, the

\* It may be pertinent to observe here, that, though Laud did not approve the doctrinal articles of the church of Rome, "it is possible that one who dislikes many points of the Romish faith, may yet be very fond of introducing her tyrannical government, and, in order to it, of amusing the poor laity with the long train of her gaudy and mysterious ceremonies; that while they stand fondly gazing at this lure, and are busied about impertinences, they may the more easily be circumvented in irrecoverable bondage by men of deeper but more mischievous designs." *Memoirs of Hollis*, vol. 2. p. 578.—Ed.

† *Laud's History*, p. 383.

‡ *Ibid.* p. 392.

§ *Prynne*, p. 556.

world must judge\*. The judgment of the church of England is, that church-government by bishops is unalterable, for the preface to the book of ordination says, that from the apostles' time there have been three orders of ministers in the church, bishops, priests, and deacons; now if bishops are the apostles' successors, and have continued in the church above sixteen hundred years, what authority have any Christian states to deprive them of that right which Christ has given them? As to the French and Dutch churches in this kingdom, I did not question them for their ancient privileges, but for their new encroachments, for it was not the design of the queen [Elizabeth] to harbour them, unless they conformed to the English liturgy; now I insisted on this only with respect to those who were of the second descent, and born in England; and if all such had been obliged to go to their parish-churches as they ought, they would not have done the church of England so much harm as they have since done †.

To the fourth objection I answer, that I had no intimate correspondence with priests or Jesuits, nor entertained them at my table, knowing them to be such. I never put my hand to the releasing any priest out of prison, nor have I connived at the liberties they assumed; the witnesses who pretended to prove this are either mean persons, or strongly prejudiced; and to most of the facts there is but one witness. As to the nuncios from Rome, it was not in my power to hinder their coming, the king having condescended to it, at the earnest request of the queen; nor had I any particular intimacy with them whilst they were here; nor do I remember my checking the pursuivants in doing their duty. But if it could be supposed that I said, I will have nothing to do with any priest-catching knaves, I hope the words are not treason; nor is it any offence not to be a persecutor, or not to give ill language to Jesuits; and I do affirm, that I never persecuted any orthodox ministers or Puritans, though I may have persecuted some for their schisms and misdemeanours ‡.

As to the king's marrying, it is not proved that I had any hand in it, though I acknowledge the duke of Buckingham did me the honour to make me his confessor. Nor did I conceal the late plot to bring in Popery, but discovered it to the king as soon as I had intelligence of it; for the truth of which I appeal not only to my letters, but to the earl of Northumberland here present; who stood up, and said, he remembered no such thing.

The commons replied to the archbishop's general defence, that he had been fighting with his own shadow, for they never objected those things to him for the purposes which he mentions; they never objected his reducing any from Popery, but that many were hardened in it by his means. Nor did they object the canons or oath to prove him guilty of introducing Popery,

\* Laud's Hist. p. 374. Prynne, p. 540.

† Laud's Hist. p. 394.

‡ Ibid. p. 378.



but to quite different purposes. So that the archbishop in these, and the other particulars above mentioned, has given us a specimen of his sophistry and Jesuitism, transforming his own defence into our charge and evidence, and making our objections stand as proofs of a fact, which they were not in the least intended to support\*.

To the particulars they replied, that the titles he had assumed were peculiar to the Papacy; that they were never assumed by any Protestant archbishop before himself; nay, that in the times of Popery there are hardly any examples of their being given to English bishops, and that it is blasphemy to give the title of holiness in the abstract to any but God himself: the archbishop therefore ought, in his answers to the letters of the university, to have checked them, whereas he does not so much as mention these exorbitancies, nor find the least fault with them. And though there be a difference between Papal title and Papal power, yet certainly his claiming the title of "*alterius orbis papa*," pope of the other world, is a demonstration that he was grasping at the same power in Great Britain, as the pope had in Italy; and though, for prudent reasons, he refused the cardinal's hat when it was offered, yet when he had made his terms, and accomplished that reconciliation between the two churches that he was contriving, no doubt he would have had his reward. Sir Henry Mildmay being summoned, at the archbishop's request, to give in evidence, how much he was hated and spoke against at Rome, swore that when he was at Rome some of the Jesuitical faction spoke against the archbishop, because they apprehended he aimed at too great an ecclesiastical jurisdiction for himself; but the seculars commended and applauded him, because of the near approaches he made to their church, and showed himself favourable to their party. The like evidence was given by Mr. Chaloner, and others†.

And whereas the archbishop had said, that it was not proved, that he forbid ministers to pray for the queen's conversion, the managers produced Mr. Hugh Radcliffe, of St. Martin's, Ludgate, who swore that sir Nathaniel Brent, his vicar-general, at a visitation at Bow-church, gave in charge to the clergy, in his hearing, these words, "Whereas divers of you, in your prayers before sermon, used to pray for the queen's conversion, you are to do so no more, for the queen does not doubt of her conversion‡." And both before and after, the archbishop himself caused Mr. Bernard, Mr. Peters, and Mr. Jones, to be prosecuted in the high-commission on this account§. The archbishop having said, that he never put his hand to the releasing any priest out of prison, the managers produced a warrant under his own hand, dated Jan. 31, 1633, for the release of William

\* Prynne, p. 543.

† Ibid. p. 418.

‡ Ibid. p. 413.

§ Ibid. p. 444.

Walgrave, deposed to be a dangerous seducing priest, in these words :

“ These are to will and command you, to set at full liberty the person of William Walgrave, formerly committed to your custody, and for your so doing this shall be your sufficient warrant.

“ W. Cant. R. Ebor.”

But the archbishop's memory frequently failed him on such occasions.

His grace confesses the church of Rome to be a true church, whereas we aver her to be a false and antichristian one, for she has no sure foundation, no true head, no ordinances, sacraments, or worship, no true ministry, nor government of Christ's institution ; she yields no true subjection to Christ's laws, word, or spirit, but is overspread with damnable errors in doctrine, and corruptions in manners and worship, and is therefore defined by our homilies to be a false church. Must she not err in fundamentals, when she affirms the church to be built on Peter, not upon Christ, and resolves our faith into the church, and not into the Scriptures ? When she deifies the Virgin Mary and other saints by giving them divine worship, and obliges us to adore the consecrated bread in the sacrament as the very body and blood of Christ ; when she denies the cup to the laity, obliges people to pray in an unknown tongue, and sets up a new head of the church instead of Christ, with the keys of the kingdom of heaven at his girdle ? What are these but fundamental errors, which nullify the church that maintains them ! The religion of the church of Rome and ours is not one and the same, for theirs is no Christian religion, but a heap of superstition and idolatry ; and his affirming salvation may be had in that church, is contrary to the opinion of our best Protestant writers, who make her damnable errors the foundation of our separation from her. And though the archbishop makes light of his not believing the pope to be antichrist, we do aver, that our statutes and homilies do either in direct or equivalent expressions define him to be antichrist, and particularly in the subsidy act, 3 Jac. penned by the convocation.

But can any thing more fully demonstrate the archbishop's design to reconcile the church of England with Rome than his own confession ? He says, he has laboured this matter with a faithful and single heart (Reply to Fisher, p. 388,) though not to the prejudice of truth and piety. But it must be observed, that the archbishop's design was not to bring over the church of Rome to us, but to carry us over to them ; and what large advances he has made that way, appears by his setting up altars, crucifixes, images, and other innovations. What advance has the church of Rome made towards us ? why, none at all ; nor is it possible she should. She lays aside her infallibility. The pretence, therefore, of the church of Rome's meeting us halfway, was a mere



blind to deceive the people of England, till he had carried them wholly over into her territories \*.

The archbishop has denied his endeavours to sow discord among foreign Protestants, and asserted his endeavours to reconcile the Lutherans and Calvinists, though he has produced no evidence of it; but his late behaviour towards the Scots, on the account of their having no bishops, and to the foreign settlements among ourselves, is a sufficient proof of the contrary. The maxim that he cites from St. Jerome, No bishop, no church, is a plain perverting of his sense, for his words are, "Ubi non est sacerdos, non est ecclesia;" but it is well known that, according to St. Jerome, bishops and presbyters are one and the same in jurisdiction and office, and presbyters have the power of ordination as well as bishops; and therefore this is a conclusion of the archbishop's framing, which, if it be true, must necessarily unchurch all the foreign reformed churches, and render all the ordinations of their ministers invalid, which is a sufficient evidence of his enmity to them †.

As to the French and Dutch churches, who were settled by charter in the reign of king Edward VI. Mr. Bulteel's book, of the manifold troubles of those churches by this archbishop's prosecutions, evidently proves, that he invaded and diminished their ancient immunities and privileges in all parts; and that he was so far from being their friend, that they accounted him their greatest enemy.

To the fourth objection, relating to the archbishop's correspondence with Popish priests, we reply, that the archbishop's intimacy with sir Toby Mathew, the most active Jesuit in the kingdom, has been fully proved; that he was sometimes with him in his barge, sometimes in his coach, sometimes in private with him in his garden, and frequently at his table ‡. The like has been proved of Sancta Clara, St. Giles Leander, Smith, and Price, and we cannot but wonder at his denying that he knew them to be priests, when the evidence of his knowledge of some of them has been produced under his own hand; and the witnesses for the others were no meaner persons than the lords of the council, and the high-commissioners (among which was himself,) employed to apprehend priests and delinquents; from whence we conclude, that all the archbishop's predecessors, since the Reformation, had not half the intimacy with Popish priests and Jesuits as himself, and his harbouring some of them that were native Englishmen, is within the statutes of 23 Eliz. cap. 1, and 27 Eliz. cap. 2. It is very certain that the liberty the Jesuits have enjoyed in prison, and elsewhere, was owing to his connivance: and though the archbishop is so happy as not to remember his checking the officers for their diligence in apprehending Popish priests, yet his distinction between not persecuting Papists, and prosecuting Puri-

\* Prynne, p. 552, &c.

† Ibid. p. 541.

‡ Ibid. p. 448. 456. 559. 561.

"The work of preaching is not so peculiarly confined to pastors and teachers, but that others also gifted, and fitted by the Holy Ghost for it, and approved (being by lawful ways and means, and the providence of God, called thereunto,) may publicly, ordinarily and constantly, perform it, so that they give themselves up thereunto \*." It is necessary the reader should make these remarks to rectify a train of mistakes which runs through this part of Mr. Rapin's history, and to convince him, that the king's death was not owing to the distinguishing tenets of any sect or party of Christians. There were indeed some republicans and levellers in the army, whose numbers increased after they despaired of bringing the king into their measures, and it is well known that at their first appearance, Cromwell by his personal valour suppressed them with the hazard of his life. These were chiefly Anabaptists, and proved as great enemies to the protector as they had been to the king. But there is nothing in the principles of the Presbyterians, Independents, or Anabaptists, as far as I can learn, inconsistent with monarchy, or that had a natural tendency to put the kingdom into a flame.

Mr. Baxter, who was no friend to the Independents, and knew them much better than the above-mentioned writers, admits, "that most of them were zealous, and very many learned, discreet, and pious, capable of being very serviceable to the church, and searchers into Scripture and antiquity †;" though he blames them on other occasions, for making too light of ordination; for their too great strictness in the qualification of church-members; for their popular form of church-government; and their too much exploding of synods and councils; and then adds, "I saw commendable care of serious holiness and discipline in most of the Independent churches; and I found that some episcopal men, of whom archbishop Usher was one, agreed with them in this, that every bishop was independent, and that synods and councils were not so much for government as concord." And I may venture to declare, that these are the sentiments of almost all the Protestant Nonconformists in England at this day.

There was not one professed Antipædobaptist in the assembly, though their sentiments began to spread wonderfully without doors. Their teachers were for the most part illiterate, yet Mr. Baxter says ‡, "he found many of them sober, godly, and zealous, not differing from their brethren but as to infant baptism." These joining with the Independents in the points of discipline and toleration, made them the more considerable, and encouraged their opposition to the Presbyterians, who were for establishing their own discipline, without regard to such as differed from them.

\* Savoy Conference, 4to. p. 24, art. 14.

† Baxter's Life, p. 140, 143.

‡ Life, p. 40.



tans, besides the quibble, is an unanswerable argument of his affection to the one beyond the other \*.

The managers produced six or eight witnesses, to prove the archbishop's discountenancing and threatening such as were active in apprehending priests and Jesuits. And though he would wash his hands of the affair of the pope's nuncio residing here in character, and holding an intimate correspondence with the court, because himself did not appear in it, yet it is evident, that secretary Windebank, who was the archbishop's creature and confidant, held an avowed correspondence with them. If he had no concern in this affair, should he not, out of regard to the Protestant religion, and church of England, even to the hazard of his archbishopric, have made some open protestation, when Gregorio Panzani resided here in character two years; Gregory Con, a Scot, for three years and two months; and last of all, count Rosetti, till driven away by the present parliament †.

It has been sufficiently proved, that the archbishop was concerned in the Spanish and French matches, and in the instructions given to the prince at his going to Spain, to satisfy the pope's nuncio about king James's having declared the pope to be antichrist; for the duke of Buckingham was the prince's director, and himself acknowledged that he was the duke's confessor.

And as to the late plot of Habernfield, we have owned, in our evidences, that at first he discovered it to the king, because he imagined it to be a plot of the Puritans, but when he found the parties engaged in it to be Papists, and among others, secretary Windebank and sir Toby Mathew his own creatures, he then concealed his papers, called it a sham plot, and brow-beat the informers, whereas he ought at least to have laid it before the parliament, that they might have sifted it to the bran. But that it was a real plot, his own Diary, together with our latter discoveries, fully prove; and his concealment of it, we conceive to be a high and treasonable offence, tending to subvert the Protestant religion, and subject us to the church of Rome ‡.

Thus, we humbly conceive, we have made a satisfactory reply to all the archbishop's answers, and have fully made good the whole of our charge, namely, that the archbishop has traitorously endeavoured to destroy our civil liberties, and to introduce tyranny and arbitrary power; and, secondly, that he has endeavoured to subvert the Protestant religion established by law in these kingdoms, and to subject us to the church of Rome; wherefore we do, in the name of all the commons of England, pray judgment against him as a traitor.

Before the archbishop withdrew from the bar, he moved the lords, that considering the length of his trial§, and the distance

\* Prynne, p. 448. 458.

† Ibid. p. 446.

‡ Ibid. p. 564, &c.

§ It had been drawn out through more than three months, and he had been often, when summoned before the lords, sent back unheard. This had, needlessly,

of time between the several days of hearing, they would allow him a day that he might set before their lordships in one view, the whole of the commons' charge, and his defence; to which they condescended, and appointed September 2, which was five weeks from the last day of his trial \*. When the archbishop appeared at the bar, he began with a moving address, beseeching their lordships to consider his calling, his age, his long imprisonment, his sufferings, his patience, and the sequestration of his estate. He then complained, (1.) Of the uncertainty and generality of the commons' charge. (2.) Of the short time that was allowed him for his answer. (3.) That he had been sifted to the bran, and had his papers taken from him. (4.) That the things he had taken most pains in, were for the public good, and done at his own great expense, as the repair of St. Paul's, and the statutes of Oxford. (5.) That many of the witnesses were sectaries and schismatics, whereas, by the canon law, no schismatic should be heard against his bishop. He complained also of the number of witnesses produced against him, which were above one hundred and fifty; whereas the civil law says, that the judges should moderate things so as no man should be oppressed with the multitude of witnesses. (6.) That he had been charged with passionate and hasty words, which he hopes their lordships will pardon as human frailties. (7.) That other men's actions had been laid to his charge, as those of his chaplains, and the actions of the high-commission and star-chamber, which, he insists, cannot by any law be put upon him, it being a known rule, "*Refertur ad universos quod publicè fit per majorem partem.*" He then went over the particular charges above mentioned, and concluded with a request, that when the commons had replied to the facts, his counsel might be heard as to matters of law. The commons replied to the archbishop's speech, September 11, and the same day his counsel delivered in these two queries, "(1.) Whether in all or any of the articles charged against the archbishop, there be contained any treason by the established laws of the kingdom? (2.) Whether the impeachment and articles did contain such certainties and particularities as are required by law in cases of treason? †" The lords sent down the queries to the commons, who, after they had referred them to a committee of lawyers, agreed that the archbishop's counsel might be heard to the first query, but not to the second. Accordingly, October 11, the archbishop being present at the bar, Mr. Hearn proposed to argue these two general questions: ‡

(1.) "Whether there be at this day any other treason than

exposed him to the scorns and revilings of the people, and to an expense which he could ill bear; for he never appeared but it cost him 6 or 7*l.* per day. His estate and goods had been sequestered; and it was not till towards the end of his trial, and after repeated solicitations, that the commons allowed him 200*l.* to support his necessary expenses. Macaulay's History of England, vol. 4. p. 138, note.—Ed.

\* Laud's History, p. 412, 419.

† Ibid. p. 422.

‡ Ibid. p. 423.



what is enacted by the statute 25 Edward III. cap. 2. or enacted by some other subsequent statute?"

(2.) "Whether any of the matters, in any of the articles charged against the archbishop, contain any of the treasons declared by that law, or enacted by any subsequent law?"

And for the clearing of both these he humbly insisted, that an "endeavour to subvert the laws, the Protestant religion, and the rights of parliament, which are the three general charges to which all the particulars alleged against the archbishop may be reduced, is not treason within the statute of 25 Edward III. nor any other particular statute\*."

In maintenance of this proposition, he contended, first, "That the particulars alleged against the archbishop were not within the letter of the statute of the 25th Edward III. and then argued, that the statutes of this land ought not to be construed by equity or inference, because they are declarative laws, and were designed for the security of the subject in his life, liberty, and estate; and because since the time of Henry IV. no judgment has been given in parliament for any treason not expressly contained or declared in that or some other statute, but by bill; from whence it will follow, that the particulars charged against the archbishop, being only an endeavour to subvert fundamental laws, are of so great latitude and uncertainty, that every action not warranted by law may be extended to treason, though there is no particular statute to make it so. If it be replied, that the statute of 25 Edward III. takes notice of compassing or imagining, we answer, it confines it to the death of the king; but an endeavour to subvert the laws of the realm is no determinate crime by the laws of England, but has been esteemed an aggravation of a crime, and has been usually joined as the result of some other offence below treason†."

"The like may be observed to the second charge, of endeavouring to subvert religion; it is not treason by the letter of any law established in this kingdom, for the statute of 1 Edward VI. cap. 12, makes it but felony to attempt an alteration of religion by force, which is the worst kind of attempt‡."

"As to the third charge, of endeavouring to subvert the rights of parliament. We insist on the same reply that was made under the first head. We allow that by the statute of 5 Jac. cap. 4, it is provided that if any man shall put in practice to reconcile any of his majesty's subjects to the pope or see of Rome, it shall be deemed treason; but we conceive this does not reach the archbishop, because (1.) He is charged only with an endeavour, whereas in the statute it is putting in practice. (2.) Because the archbishop is charged with reconciling the church of England with the church of Rome, whereas in the statute it is reconciling any of his majesty's subjects to the see of Rome; now reconciling

\* Land's History, p. 424, 425.

† Ibid. p. 427.

‡ Ibid. p. 429.

with, may as well be construed a reducing Rome to England, as England to Rome.

"Thus, says Mr. Hearn, we have endeavoured to make it appear, that none of the matters, in any of the articles charged, are treason within the letter of the law; indeed, the crimes, as they are laid in the charge, are many and great, but their number cannot make them exceed their nature; and if they be but crimes and misdemeanours apart, below treason, they cannot be made treason by putting them together \*."

These arguments of the archbishop's counsel staggered the house of lords, nor could the managers for the commons satisfy them in their reply; they had no doubts about the truth of the facts, but whether any of them were treason by the laws of the land †?—this the judges very much questioned, and therefore the lords deferred giving judgment, till the commons thought fit to take another method to obtain it.

Various are the accounts of the archbishop's behaviour on his trial; his friends and admirers flatter him beyond measure, and said he perfectly triumphed over his accusers; and his grace seems to be of the same mind, when he tells us, that all men magnified his answer to the house of commons, but he forbore to set down in what language, because it was high‡. Mr. Prynne allows, that "he made as full, as gallant, and pithy a defence, and spoke as much for himself, as was possible for the wit of man to invent; and that with so much art, sophistry, vivacity, oratory, audacity, and confidence, without the least blush, or acknowledgment of guilt in any thing, as argued him rather obstinate than innocent, impudent than penitent, and a far better orator and sophister than Protestant or Christian §." But then he imputes his boldness to the king's pardon, which he had in his pocket.

Bishop Burnet is of opinion, that "in most of the particulars the archbishop made but frivolous excuses; as, that he was but

\* Laud's History, p. 430.

† We cannot allow ourselves to withhold here from our reader the just and important remarks of a late biographer of the archbishop. "It appears a great defect in the laws of a free and limited government, that an attempt to subvert the constitution and mode of government, should not be judicially deemed a capital offence, punishable as such. For, in a just and political sense, the man who endeavours to enslave his countrymen, to deprive them of their natural and legal rights and privileges, and instead of a free constitution of government, to introduce one that is arbitrary and despotic; such a man is undoubtedly guilty of as high a crime, and is as much a traitor to his country, as he who attempts to deprive the prince of the crown, and ought to be punished with equal severity." *British Biography*, vol. 4. p. 286. Nay, it may be added, that the severity of the punishment ought to be regulated by the more heinous guilt, which attaches itself rather to the former than to the latter conduct; by the latter conduct the blow is aimed at the rights and prosperity of one person, or at most of one family only; but the former conduct robs millions of their rights, and involves, in its effects, generations to come. Nor does it lessen the guilt, if men, instead of being the agents of prerogative, are the tools of influence; if, instead of being awed into a subserviency to the views of despotism, they are brought over to measures inimical to the liberties of the people.—Ed.

‡ Laud's History, p. 441.

§ Prynne, p. 462.



one of many \*, who either in council, star-chamber, or high-commission, voted illegal things. Now though this was true, yet a chief minister, and one in high favour, determines the rest so much, that they are little better than machines acted by him. On other occasions he says, the thing was proved but by one witness. Now how strong soever this defence may be in law, it is of no force in an appeal to the world; for if a thing be true, it is no matter how full or defective the proof is †.

The archbishop himself has informed us of his great patience under the hard usage he met with at his trial; but his Diary furnishes too many examples to the contrary, for it appears from thence, that he sometimes gave the witnesses very rude language at the bar, insinuating to the court, that many of them were perjured; that their evidence was the effect of malice, envy, and a thirst after his blood. Sometimes he threatened them with the judgments of God, and once he was going to bind his sin upon one of them, not to be forgiven till he asked pardon; but he recovered himself. He is pleased sometimes to observe, that his crimes were proved only by one witness ‡; and yet at last he complains that he was oppressed with numbers, no less than one hundred and fifty §, and calls them "a pack of such witnesses, as were never produced against any man of his place and calling; pursuivants, messengers, pillory-men, bawds; and such as had shifted their religion to and again ||." And yet there were among them, men of the best fashion and quality in the kingdom, as sir H. Vane, sen. sir H. Mildmay, sir Wm. Balfore, sir Nath. Brent, vicar-general; sundry aldermen of the city of London, and many excellent divines, as Dr. Featly, Dr. Haywood the archbishop's chaplain, Mr. Dell his secretary, Mr. Osbaldeston, and others of an equal if not superior character. When his grace was checked at the bar for reflecting upon the witnesses, and put in mind by the managers that some of them were aldermen, some gentlemen, and some men of quality, he replied smartly, "That is nothing, there is not an active separatist in England but his hand is against me: both gentlemen, aldermen, and men of all conditions, are separated from the church of England, and I would to God some of my judges were not ¶."

After this it can hardly be expected, that the managers for the

\* To what bishop Burnet observes on this plea, it is pertinent to add the remarks of a late writer: "that if it were admitted, it would always be impracticable to bring a wicked minister of state to justice, for any proceedings in the privy council, to which the rest concurred; and that it would not be thought a proper justification of criminals of an inferior order, in any court of justice, if they were to allege, that there were other persons accomplices in the crimes with which they were accused." *British Biography*, vol. 4, p. 285.—Ed.

† *History of his Life*, p. 50, or p. 68, edition in 12mo. at Edinburgh.

‡ *Laud's History*, p. 237.

§ He also charged Prynne with keeping a school of instruction for the witnesses, and tampering with them in a most shameful manner. *Macaulay's History of England*, vol. 4, p. 137, note.—Ed.

|| *Laud's History*, p. 417.

¶ *Ibid.* p. 434.

commons should escape his grace's censure; it must be admitted, that in the course of their arguments they made use of some harsh expressions, which nothing but the character they sustained could excuse\*; but it was no argument of the archbishop's patience and discretion, to fight them at their own weapons. The managers were, serjeant Maynard, one of the ablest lawyers of his age; he lived to be the father of his profession; and when the prince of Orange [afterward king William III.] complimented him upon his having outlived all his brethren of the law, he made this handsome reply, that if it had not been for the wonderful revolution that his highness had brought about, he should have outlived the law itself. He managed the first part of the evidence March 13, 16, 18, and 28. "This gentleman (says the archbishop) pleaded, though strongly, yet fairly, against me†."

Serjeant Wild was the son of serjeant George Wild, of Droitwich in Worcestershire; he was afterward reader of the Inner-Temple, a great lawyer of unblemished morals. After the restoration of king Charles II. he was made lord-chief-baron, and esteemed a grave and venerable judge‡. He managed that part

\* "Like true lawyers (says Mrs. Macaulay), they played their parts in baiting the unhappy prisoner with the most acrimonious and insulting language; like true lawyers, they took all the unfair advantages which their offices and other opportunities procured them; and like true lawyers, they put a forced and unwarrantable construction on all the facts which they cited against him." History of England, vol. 4. p. 137, 8vo.—Ed.

† Laud's History, p. 330.

‡ The character of serjeant Wild is impeached, and the above account of his preferment is shown to be inaccurate, by Dr. Grey. He was made lord-chief-baron of the exchequer (see Whitelocke's Memorials, p. 337) 12th October, 1648. In the protectorate of Cromwell he retired, and did not act. During the Rump parliament he was restored to the exchequer. After king Charles II. returned, he lived nine years in a retired condition. Wood's Athenæ Oxon. vol. 1. p. 808. On the authority of Wood, Dr. Grey charges him with having received 1,000*l.* out of the privy purse at Derby-house, for the condemnation of captain Burley, at Winchester, for causing a drum to beat up for God and king Charles, in the Isle of Wight, in order to rescue his captive king. The reader will judge what credit is due to this charge, when he is informed, that captain Burley was convicted, sentenced, and executed, according both to Wood and Whitelocke [Memorials, p. 290], in 1647, some months before serjeant Wild was made a judge. Another charge brought against him, from lord Clarendon and Wood, is, that he received another 1,000*l.* for the acquittance of major Rolfe, who had a design to murder or poison the king. That the reader may form his judgment on this charge, we will state the proceedings on the affair of major Rolfe, as they are chronologically given by Whitelocke.—1648, June 23. A charge by Osborne against colonel Hammond and captain Rolfe, was ordered to be printed. July 11, A letter was received from colonel Hammond, desiring that Osborne's charge against Mr. Rolfe may come to a speedy hearing, it reflecting so highly upon the army and upon him; and being a horrid scandal, whereof he clears his own innocency and the officers of the army and Mr. Rolfe. Accommodations were ordered for Mr. Rolfe. August 1, Major Rolfe was bailed. August 12, At a conference with the lords about Mr. Rolfe, the commons alleged, that Mr. Rolfe was committed by their lordships without any cause in the warrant, and they found reason to clear him. August 31, The grand jury, at Southampton, found the bail against major Rolfe, *ignoramus*. September 9, There was an order for 150*l.* for Mr. Rolfe for his unjust imprisonment. Memoirs, p. 310. All these transactions appear to have taken place independently of serjeant Wild, and before he was preferred to be a judge. To these particulars it may be added, that the king himself acquitted colonel Hammond, involved in



of the evidence which concerned religion, May 20, 27; June 6, 11, 17, 20, and 27; July 20 and 24; but "this gentleman (says the archbishop), though he had language good enough sometimes, he had little or no sense. I had a character given me before of him, which I forbear to express, but by his proceedings with me I found it exactly true\*."

Samuel Browne, esq. was an able and grave lawyer. In the reign of king Charles II. he was knighted and made lord-chief-justice of the common pleas; he summed up the whole evidence at the lords' bar. "His behaviour towards the archbishop was decent and civil, but his pleadings (according to his grace) very unfair†."

Robert Nicolas, esq. pressed the archbishop very hard, and therefore no wonder that he was displeased with him. The archbishop allows that he had some sense, but extreme virulent and foul language. He managed the second and fourth branches of the evidence, April 16, May 14, July 29. This gentleman happening to call the archbishop pander to the whore of Babylon; the archbishop bids him remember, "that one of his zealous witnesses against the whore of Babylon got all his means by being a pander to other lewd women, and was not long since taken in bed with one of his wife's maids. Good Mr. Nicolas (says he), do not dispense with all whores but the whore of Babylon‡!"

As for Mr. Hill the other manager, he is called *Consul Bibulus*, because he said nothing. Upon the whole the archbishop is of opinion, that the managers for the commons sought his blood, "and made false constructions, for which (says he) I am confident they shall answer at another bar, and for something else in these proceedings§."

Such was the unhappy spirit of this prelate, who "though he had seen the violent effects of his ill counsels, and had been so long shut up, and so much at leisure to reflect upon what had passed in the hurry of passion, and in the exaltation of his prosperity, yet (as bishop Burnet observes) he does not in any one point of his Diary acknowledge his own errors, nor mix any wise or pious reflections upon the unhappy steps he had made." It was, no doubt, a great mortification to his spirit to be exposed to the people, and to wait sometimes an hour or two before he was called to the bar; but as for his charity, and patience under his sufferings, I must leave it with the reader to form his own judgment.

While the proceedings against the archbishop were at a stand by reason of the lords being dissatisfied, whether the facts proved

the same accusation with Rolfe, and professed a perfect confidence in him as a man of honour and trust. *Memoirs*, p. 315. The stress, which lord Clarendon, and after him Mr. Echard and Dr. Grey, have laid on this charge against serjeant Wild, will apologise for so minute an investigation of a matter, not essentially connected with the general truth of Mr. Neal's history.—Ed.

\* *Laud's History*, p. 320, 330.

† *Ibid.* p. 390.

‡ *Ibid.*

§ *Ibid.* p. 271.

against him were treason by statute law; the citizens of London assembled, and presented a petition to the house of commons, October 28th, signed with a great number of hands, praying for speedy justice against delinquents, and particularly against the archbishop; which was no doubt an artful contrivance of his enemies. The commons, to prevent all farther delays, determined not to press the lords for judgment upon the trial, but ordered a bill of attainder to be brought in; and when it had been twice read, the archbishop was brought to the bar of the house of commons, to hear the evidence on which it proceeded, and to make what farther defence he thought proper. Mr. Browne summed up the charge November 2, and the archbishop had nine days given him to prepare his defence. November 11, he spoke for himself some hours at the bar of the house of commons, and Mr. Browne replied before the archbishop withdrew; after which the bill of attainder passed the house the very same day with but one dissenting voice, and that not upon the substance of the charge, but upon the manner of proceeding\*. The bill being sent up to the lords, they made an order December 4, "that all books, writings, &c. concerning the archbishop's trial, should be brought in to the clerk of the parliament," which being done, they examined over again all the heads and principal parts of the evidence, and voted each particular as they went forward; so tender were they of the life of this prelate, and so careful to maintain the honour and justice of their proceedings. When they had gone through the whole, they voted him guilty of all facts charged against him, in three branches, namely, "guilty of endeavouring to subvert the laws;—of endeavouring to overthrow the Protestant religion,—and the rights of parliaments." After this they sent a message to the commons, to desire them to answer the argument of the archbishop's counsel, as to the point of law, which they accordingly did at a conference January 2, when serjeant Wild, Mr. Browne, and Mr. Nicolas, having given the reasons of the commons for their attainder, the lords were satisfied, and January 4, passed the bill†, whereby it was ordained, that he should suffer death as in cases of high treason. To stop the consequence of this attainder, the archbishop produced the king's pardon under the great seal, signed April 19, 12th Car. but it was overruled by both houses. 1. Because it was granted before conviction. And, 2. If it had been subsequent, yet in the present case of treason they argued, that the king could not par-

\* It was greatly against the archbishop, that the management of the trial was assigned to Prynne, a man of sour and austere principles; whom Laud had made his enemy by the severe sentence of the star-chamber; and who, by his behaviour on this occasion, showed, that he remembered and resented the share Laud had in inflicting his past sufferings.—Ed.

† Dr. Grey will not allow the decree of the commons to be called "a bill." It was, in his opinion, an ordinance only, and that an imperfect one; because it was not supported by the royal assent, and therefore, he says, had no legal force at all.—Ed.



don a judgment of parliament, especially as the nation was in a state of war; for if the king's pardon was a protection, not a deserter, nor a spy, nor an incendiary of any kind against the parliament, would have suffered in his life or liberty\*.

All the favour therefore the archbishop could obtain, was, upon his petition, to have his sentence altered from hanging to being beheaded on Tower-hill, which was appointed to be on Friday, January 10, when the archbishop being conducted to the scaffold, attended by his chaplain Dr. Stern, and Mr. Marshal and Palmer, sent by the parliament †, read his last speech to the people ‡, which was a sort of sermon from Heb. xii. 2. "Let us run with patience the race that is set before us, looking unto Jesus, the author and finisher of our faith, who, for the joy that was set before him, endured the cross, despising the shame, and is set down at the right hand of the throne of God." In which he acknowledges himself to have been a great sinner; but having ransacked every corner of his heart, he thanks God, that he has not found any of his sins deserving death by any of the known laws of the kingdom, though he does not charge his judges, because they are to proceed according to evidence.—He thanks God that he is as quiet within as ever he was in his life, and hopes that his cause in heaven will look of another colour than it does here. "It is clamoured against me (says he) that I designed to bring in Popery, but I pray God that the pope do not come in, by means of these sectaries which clamour so much against me." As for the king, he assured the world, that he was as sound a Protestant as any man in the kingdom, and would venture as freely for it. He complains of the citizens for gathering hands to petitions, and particularly against himself, whereby they were bringing the guilt of innocent blood upon themselves and their city. He laments the ruin of the hierarchy, and concludes with declaring himself a true Protestant, according to the church of England established by law, and takes it upon his death, that "he never endeavoured the subversion of the laws of the realm, nor any change of the Protestant religion into Popish superstition; nor was he an enemy to parliaments."

In his last prayer he desires that God would give him patience to die for his honour, for the king's happiness, and the church

\* Whitelocke's Memoirs, p. 117.

† It marks a virulent and bitter spirit in the conduct of this execution, that of the three clergymen, whose consolatory attendance and service at his exit Laud petitioned for, but one was allowed him; and this under the restraint of the inspection of two ministers appointed by parliament. Macaulay's History, vol. 4. p. 144.—Ed.

‡ "In this very performance (observes Mrs. Macaulay), which was executed with great art of composition, and likewise in his remarks on the charge which the Scots brought against him, he plainly shows that his adversity had not altered his opinions, nor corrected any one of his most mischievous prejudices; and that, had accident re-established him in his former plenitude of power, he would have run, to the end of his days, the same persecuting course for which he now suffered." History of England, vol. 4. p. 140.—Ed.

of England. He then prays for the preservation of the king in his just rights; for the parliament in their ancient and just power; for the church, that it may be settled in truth and peace, and in its patrimony; and for the people, that they may enjoy their ancient laws, and other liberties; and then, having forgiven his enemies, he concluded with the Lord's prayer. After which he gave his paper to Dr. Stern, saying, "Doctor, I give you this, to show your fellow-chaplains, that they may see how I am gone out of the world, and God's blessing and his mercy be upon them." When the scaffold was cleared, he pulled off his doublet, and said, "God's will be done, I am willing to go out of the world; no man can be more willing to send me out." Then turning to the executioner, he gave him some money, and bid him do his office in mercy; he then kneeled down, and after a short prayer, laid his head on the block, and said, "Lord Jesus, receive my spirit;" which being the sign, the executioner did his office at one blow\*. The archbishop's corpse was put into a coffin, and by the permission of parliament buried in Barking-church, with the service of the church read over him. The inscription upon the coffin was this, "In hac cistula conduntur exuvie Gulielmi Laud, archiepiscopi Cantuariensis, qui securi percussus immortalitatem adiit, die x<sup>o</sup> Januarii, ætatis suæ 72, archiepiscopatus xii." But after the Restoration, his body was removed to Oxford, and deposited with great solemnity in a brick vault, according to his last will and testament, near the altar of the chapel of St. John Baptist college, July 24, 1663.

Thus died Dr. William Laud, archbishop of Canterbury, primate of all England, and metropolitan; some time chancellor of the universities of Oxford and Dublin, one of the commissioners of his majesty's exchequer, and privy-counsellor to the king, in the seventy-second year of his age, and twelfth of his archiepiscopal translation. He was of low stature, and a ruddy countenance; his natural temper was severe and uncourtly, his spirit active and restless, which pushed him on to the most hazardous enterprises. His conduct was rash and precipitate, for, according to Dr. Heylin, he attempted more alterations in the church in one

\* Mrs. Macaulay's reflections on this event appear to carry weight and pertinence with them. "As the justice of the country had been something satisfied by the death of the criminal Strafford, it would have done honour to the parliament to have left this aged prelate the example of their mercy, rather than to have made him the monument of their justice. Perpetual imprisonment, with no more than a decent maintenance, and the deprivation of his archiepiscopal function (which of course followed the abolishment of that kind of church-government), would have taken away his abilities of doing farther mischief; and the present prosperous state of the parliament affairs rendered his death a circumstance of no importance to the public. It is plain that he fell a sacrifice to the intolerant principle of the Presbyterians, a sect who breathed as fiery a spirit of persecution as himself. It is farther to be observed of this prelate, that he is the only individual of that high office in the church of England (Cranmer, the martyr, excepted) who ever suffered death by the hands of the executioner; though the turbulent ambition of his order has disturbed the peace of society from the first period of the church-power to the present day." *History of England*, vol. 4. p. 143, 144.—Ed.



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the archbishop's religion, he declared himself, upon the  
according to the constitution of the church  
Protestant, but with more charity to the church of Rome than  
of England, and though he was an avowed enemy  
to the foreign Protestants; and though he was an avowed enemy  
to sectaries and fanatics of all sorts, yet he had a great deal of  
superstition in his make, as appears from those passages in his  
Diary, in which he takes notice of his dreams, of the falling  
down of pictures, of the bleeding of his nose, of auspicious and  
inauspicious days of the year, and of the position of the stars; a  
variety of which may be collected out of that performance.

His grace must be allowed to have had a considerable share of  
knowledge, and to have been a learned man, though he was more  
a man of business than of letters\*. He was a great benefactor  
to the college in which he was educated, enriching it with a  
variety of valuable manuscripts†, besides 500*l.* in money‡. He  
gave 800*l.* to the repair of the cathedral of St. Paul's, and sundry  
other legacies of the like nature. But with all his accomplish-  
ments he was a cruel persecutor, as long as he was in power,  
and the chief incendiary in the war between the king and par-  
liament, the calamities of which are in a great measure chargeable

\* "Just the contrary (says bishop Warburton): he did not understand business at all, as fully appears from the historian's account of his civil administration, and was a great master of religious controversy." Mr. Hume, speaking of Laud's learning and morals, expresses himself in the following manner: "This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise." History of Great Britain, vol. 5. p. 193.—Ed.

† These manuscripts, which he had purchased at a prodigious expense, were in Hebrew, Syriac, Chaldean, Egyptian, Ethiopian, Armenian, Arabic, Persian, Turkish, Russian, Chinese, Japanese, Greek, Latin, Italian, French, Saxon, English, and Irish. The archbishop also founded an Arabic lecture in the university of Oxford, which began to be read in 1636. He obtained the advowson of the living of St. Lawrence in Reading for St. John's college. He procured a charter for Reading, and founded, and endowed with 200*l.* per annum, an hospital in that town. Oxford owed also to his influence a large charter, confirming its ancient, and investing it with new, privileges. It is but justice due to his memory to record, to the honour of Laud, these acts of munificence and public utility. British Biography, vol. 4. p. 289, 290.—Ed.

‡ Diary, p. 56.

upon him. "That which gave me the strongest prejudices against him (says bishop Burnet) is, that, in his Diary, after he had seen the ill effects of his violent counsels, and had been so long shut up, and so long at leisure to reflect on what had passed in the hurry of passion, in the exaltation of his prosperity, he does not in any one part of that great work acknowledge his own errors, nor mix any wise or serious reflections on the ill-usage he met with, or the unhappy steps he had made." The bishop adds withal \*, "that he was a learned, sincere, and zealous man, regular in his own life, and humble in his private deportment, but hot and indiscreet, eagerly pursuing such matters as were either very inconsiderable or mischievous; such as setting the communion-table by the east wall of the church, bowing to it, and calling it an altar, suppressing the Walloon privileges, breaking of lectures, and encouraging of sports on the Lord's day, &c. His severity in the star-chamber, and in the high-commission court; but above all, his violent and indeed inexcusable injustice, in the prosecution of bishop Williams, were such visible blemishes, that nothing but the putting him to death in so unjust a manner could have raised his character. His Diary represents him as an abject fawner upon the duke of Buckingham, and as a superstitious regarder of dreams †; his defence of himself, written with so much care when he was in the Tower, is a very mean performance; and his friends have really lessened him—Heylin by writing his life, and Wharton by publishing his vindication of himself." Mr. Rapin adds, "Let the archbishop's favourers say what they please, he was one of the chief authors of the troubles that afflicted England; 1. By supporting with all his might the principles of that arbitrary power which the court strove for several years to establish. 2. By using too much strictness and rigidity in the observance of trifles in divine service, and in compelling every body to conform themselves thereto ‡." To which I would beg leave to add, that since nothing relating to the doctrine or discipline of the church of England established by law was objected to him at his trial, but only certain innovations in the church, without or contrary to law, I cannot conceive with what propriety of language his friends and admirers have canonized him as the blessed martyr of the church of England §.

\* History of his Life, vol. 1. p. 49, 50; or Scotch edit. p. 68.

† "His superstitions (says Mrs. Macaulay) were as contemptible as those that belonged to the weakest of women." His Diary fell into the hands of Prynne, in the search of the archbishop's papers, and was published by him during his trial. This his grace complained of, as done to abash and disgrace him. The publication of it, certainly, did not tend to soften the prejudices against him, or to raise him in the opinion of the public. It was done by an order of a committee of the house of commons.—Ed.

‡ Rapin, v. 1. p. 507, folio.

§ Dr. Grey calls Mr. Neal's delineation of archbishop Laud's character, "a long invective," and opposes to it lord Clarendon's character of this prelate. Facts will shew, who has drawn it with truth: and by facts we may decide concerning a more



year, than a prudent man would have done in a great many. His counsels in state-affairs were high and arbitrary, for he was at the head of all the illegal projects, of ship-money, loans, monopolies, star-chamber fines, &c. which were the ruin of the king and constitution.

His maxims in the church were no less severe, for he sharpened the spiritual sword, and drew it against all sorts of offenders, intending, as lord Clarendon expresses it, that the discipline of the church should be felt as well as spoken of. There had not been such a crowd of business in the high-commission court since the Reformation, nor so many large fines imposed, as under this prelate's administration, with little or no abatement, because they were assigned to the repair of St. Paul's, which gave occasion to an unlucky proverb, that the church was repaired with the sins of the people.

As to the archbishop's religion, he declared himself, upon the scaffold, a Protestant, according to the constitution of the church of England, but with more charity to the church of Rome than to the foreign Protestants; and though he was an avowed enemy to sectaries and fanatics of all sorts, yet he had a great deal of superstition in his make, as appears from those passages in his Diary, in which he takes notice of his dreams, of the falling down of pictures, of the bleeding of his nose, of auspicious and inauspicious days of the year, and of the position of the stars; a variety of which may be collected out of that performance.

His grace must be allowed to have had a considerable share of knowledge, and to have been a learned man, though he was more a man of business than of letters\*. He was a great benefactor to the college in which he was educated, enriching it with a variety of valuable manuscripts†, besides 500*l.* in money‡. He gave 800*l.* to the repair of the cathedral of St. Paul's, and sundry other legacies of the like nature. But with all his accomplishments he was a cruel persecutor, as long as he was in power, and the chief incendiary in the war between the king and parliament, the calamities of which are in a great measure chargeable

\* "Just the contrary (says bishop Warburton): he did not understand business at all, as fully appears from the historian's account of his civil administration, and was a great master of religious controversy." Mr. Hume, speaking of Laud's learning and morals, expresses himself in the following manner: "This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise." *History of Great Britain*, vol. 5. p. 193.—Ed.

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The last and most memorable transaction of this year, was the treaty of Uxbridge. His majesty had sent the two houses sundry propositions for peace last summer, which took them up a great deal of time to form into propositions for his majesty's assent. The commissioners were, two lords, four commoners, and those of the Scots commissioners; they arrived at Oxford November 26, but though the king had given them a safe-conduct, Mr. Whitelocke observes, they met with very rude treatment from the populace, who saluted them as they passed along the streets with the names of traitors, rogues, and rebels, throwing stones and dirt into their coaches; when they came to their inn, they were insulted by the soldiers, so that they were obliged to shut up the doors till the king ordered them a guard. When they delivered their propositions, his majesty received them coldly\*; and because they were only to receive his answer, told them, a letter-carrier might have done as well†. Next day his majesty gave them his answer in writing sealed up; and when they desired to see it, he replied with a frown, "What is it to you, who are but to carry what I send? If I will send the song of Robin Hood, or Little John, you must carry it." But at length they obtained a copy, which was only to desire a safe-conduct for the duke of Lenox and earl of Southampton to come to London with his majesty's answer; but the letter not being directed to the parliament of England, the houses would not consent but upon

recent delineation of it by the pen of Mrs. Macaulay. "Laud, a superstitious churchman, who had studied little else than canon law and the dotting opinions of the fathers, was entirely ignorant of the utility, equity, and beauty, of civil and religious liberty; was himself imposed on before he endeavoured to impose on others; and became a zealous instrument of tyranny, even for conscience' sake. The principles of religion, on which he uniformly acted, were as noxious to the peace of society, as were the principles of the Papists; the same want of charity, the same exercise of cruelty, the same arrogance of dominion, were common to both. Utterly unacquainted with the simplicity, charity, and meekness, of the gospel, his character was void of humility and forgiveness; nor had he other rules to judge of men's deservings, but as they were more or less attached to the power of the church. Upon the whole, his character serves as an eminent example, to shew that extensive learning and abilities are not incompatible with a narrow judgment; and that in all the catalogue of human frailties, there are none which more corrupt the heart, or deprave the understanding, than the follies of religion." *History of England*, vol. 4. p. 134. 142, 143. Were it necessary for the editor of Mr. Neal to subjoin his idea of Laud's character, he would be inclined to give it in three words; as formed of superstition, tyranny, and intolerance.—Ed.

\* This, as Dr. Grey observes, is not expressly said by Whitelocke; whose words are, "The next day they (i. e. the commissioners) had access to his majesty, who used them civilly, and gave to every one of them his hand to kiss; but he seemed to shew more disdain to the Scots commissioners than to any others of their company." On the evening of the same day, as Hollis and Whitelocke were paying a visit to the earl of Lindsey, the king came into the chamber, and treated those gentlemen with extraordinary respect, entered into a free conversation with them, and asked their advice as friends. *Memorials*, p. 108. Rushworth says, that "the king received the commissioners very obligingly, but seemed more to slight the Scots commissioners than any of the rest," vol. 5. p. 841. Even here, though the language of Rushworth is more descriptive of a courteous and complaisant reception, than is that of Whitelocke, there is yet an intimation of something in the king's manner to all the commissioners, that indicated coldness and indifference, and it justifies Mr. Neal's representation of it.—Ed.

† Whitelocke, p. 106, 107, 109, 110.

that condition. The king's council advised him to yield, which did not prevail, till his majesty had found out an evasion, and entered it upon record in the council-books, as appears by his letter to the queen, dated January 2, in which he says, "that his calling them a parliament did not imply his acknowledging them as such; upon which construction, and no other (says he)\*, I called them as it is registered in the council-books, and if there had been but two of my opinion (says the king) I would not have done it †." In another intercepted letter to the queen, he tells her, "he could not prevail with his parliament at Oxford to vote those at Westminster no parliament, but assures her he would not make peace without her approbation, nor go one jot beyond the paper she sent him ‡." In another, the king informs the queen, "that the parliament were sending him propositions for peace, which, if she likes, he thinks may be the best way for settlement as things stand;" so that the fate of England was to be determined by the queen and her Popish council. Besides, his majesty was unhappily elevated at this time by the divisions at Westminster, which produced the new modelling the army; and with a false and romantic account of the successes of the marquis of Montrose in Scotland, which were so magnified, that it was expected the Scots must immediately march back into their own country; whereas, in reality, they were not so considerable as to oblige them to draw off a single regiment.

In this situation of affairs it was agreed, according to the proposals of the king's commissioners, that there should be a treaty of peace at Uxbridge, to commence January 30, 1645, and to continue twenty days.

There were sixteen commissioners for the king, viz. nine lords, six commoners, and one divine; twelve for the parliament, and ten for the Scots, and one divine, viz. Mr. Henderson; the king's divine was Dr. Steward, who was assisted by Dr. Sheldon, Laney, Fern, Potter, and Hammond. Assistant divines for the par-

\* Whitelocke, p. 277.

† Dr. Grey aims, here, to impeach not the accuracy only, but the veracity, of Mr. Neal; whose account of the matter does, indeed, seem to imply, that the king was at length prevailed on to direct his answer to the parliament at Westminster: whereas Dr. Grey shews, from Rapin and Rushworth, that his majesty put no direction at all on it, and the commissioners accepted it without a direction; and that therefore the charge of evasion against the king was without ground. But Dr. Grey contents himself with a partial account and view of this matter, and does not apprise his reader, that Rapin also mentions the expedient by which the king reconciled to himself a compliance with the requisition of the parliament: the fact, in its full extent, was, that the commissioners, though they objected to the form and the want of direction to the king's message, yet did deliver it to the parliament at Westminster, and was thanked for their services. But then the like exceptions were made by both houses, and it was resolved not to grant the safe-conduct it asked, nor to receive his majesty's answer, unless he should send to the parliament of England assembled at Westminster. The trumpeter went away with the letter to this effect December 3, and returned on the 7th with an answer from the king, acknowledging those at Westminster to be the parliament. Rushworth, vol. 5. p. 843, 844.

‡ Rushworth, vol. 5. p. 943.



Cheynel, and Chiesly. These, number of one hundred and eight safe-conduct. treated of were, religion, the militia, which was to be debated three days sūd- days were expired.

preceded by a day of fasting and prayer on missing, but was interrupted, the very first day, reached occasionally in the church of Uxbridge by preacher to the garrison of Windsor, wherein he that they [his majesty's commissioners] came thither full of blood, and that there was as great a distance between this treaty and peace, as between heaven and hell. The commissioners having complained of him next day, the parliament-commissioners laid it before the two houses, who sent for him to London, where he gave this account of the affair,—that the people being under a disappointment at their lecture, he was desired unexpectedly to give them a sermon; which was the same he had preached at Windsor the day before\*. He admits, that he cautioned the people not to have too great a dependence upon the treaty, because, "whilst our enemies (says he) go on in their wicked practices, and we keep to our principles, we may as soon make fire and water to agree; and I had almost said, reconcile heaven and hell, as their spirits and ours. They must grow better, or we must grow worse, before it is possible for us to agree." He added farther, "that there was a generation of men that carried blood and revenge in their hearts against the well-affected in the nation, who hated not only their bodies but their souls, and in their cups would drink a health to their damnation." Though there might be some truth in what the preacher said, yet these expressions were unbecoming any private man in so nice a conjuncture; he was therefore confined to his house during the treaty, and then discharged†.

It was too evident, that neither party came to the treaty with a

\* Dugdale's Treaty of Uxbridge, p. 764.

† Dr. Grey opposes to the account, which Mr. Neal gives of the proceedings against Mr. Love, lord Clarendon's representation, which states only—that the commissioners seemed troubled at the charge against him, promised to examine it, and engaged that he should be severely punished; but afterward confessed that they had no authority to punish him, but that they had caused him to be sharply reprehended and sent out of town: "this (his lordship adds) was all that could be obtained, so unwilling were they to discountenance any man who was willing to serve them." History of the Rebellion, vol. 2. p. 579. Dr. Grey remarks here, "This is lord Clarendon's account, who himself was a commissioner of that treaty." The remark is evidently made to intimate that Mr. Neal's account is not true. It is to be regretted, that he has not, in this instance, referred to his authority. But it is certain, that lord Clarendon does not relate the whole of the commissioners' answer or conduct. The former, according to Rushworth, vol. 5. p. 865, and Dugdale, p. 765, was a promise "to represent the complaint against Mr. Love to the parliament, who would proceed therein according to justice;" and the latter, it appears by Whitelocke, was correspondent to this engagement: "for the parliament, having notice of Mr. Love's sermon from the commissioners, sent for him and referred the business to an examination." Memorials, p. 123.—Ed.

healing spirit. The king's commissioners were under such restraints, that little good was to be expected from them; and the parliament-commissioners would place no manner of confidence in his majesty's promises, nor abate a tittle of the fullest security for themselves and the constitution \*. The king therefore, in his letter to the queen of January 22, assures her of the utter improbability that this present treaty should produce a peace, "considering the great and strange difference, if not contrariety, of grounds, that was between the rebels' propositions and his; and that I cannot alter mine, nor will they ever theirs, but by force †."

We shall only just mention the propositions relating to the militia and Ireland, our principal view being to religion. The king's commissioners proposed to put the militia into the hands of trustees for three years, half to be named by the king, and half by the parliament, and then to revert absolutely to the crown, on pain of high treason. But the parliament-commissioners replied, that by the king's naming half the commissioners, the militia would be rendered inactive, and that after three years they should be in a worse condition than before the war; they therefore proposed, that "the parliament should name the commissioners for seven years, and then to be settled as the king and parliament should agree, or else to limit their nomination to three years after the king and parliament should declare the kingdom to be in a settled peace ‡." It had been easy to form this proposition, so as both parties might have complied with honour and safety, if they had been in earnest for an accommodation; but his majesty's commissioners could yield no farther.

As to Ireland, the king's commissioners justified his majesty's proceedings in the cessation, and in sending for the rebels over to fill up his armies; and when the commissioners on the other side put them in mind of his majesty's solemn promises to leave that affair to the parliament, and to have those rebels punished according to law; the others replied, they wished it was in his majesty's power to punish all rebellion according as it deserved; but since it was otherwise, he must condescend to treaties, and to all other expedients necessary to reduce his rebellious subjects to their duty and obedience §." Admirable arguments to heal divisions, and induce the parliament to put the sword into the king's hands ||

\* Rapin, vol. 2. p. 510, folio.

† The quotation from Rapin, as Dr. Grey intimates, is not exact, or full. The passage stands thus: "I cannot alter mine, nor will they ever theirs, till they be out of hope to prevail with force, which a little assistance, by thy means, will soon make them be; for I am confident, if ever I could put them to a defensive (which a reasonable sum of money would do), they would be easily brought to reason." Rushworth, vol. 7. p. 944. As the passage now appears at its full length, though the reader should judge Mr. Neal's manner of quoting it inaccurate, he will perceive that he has truly given the idea and meaning of the king: who thought of nothing but of putting the parliament out of hope of prevailing by force, by carrying against them a superior force.—Ed.

‡ Rapin, p. 513.

§ Clarendon, vol. 2. p. 592.

|| Bishop Warburton treats this with contempt, calling it "a foolish declama-



The article of religion was, in the opinion of lord Clarendon, of less consequence with many in the parliament-house, for if they could have obtained a security for their lives and fortunes, he apprehends this might have been accommodated, though, considering the influence of the Scots, and the growing strength of the Presbyterian and Independent parties, it is very much to be doubted. However, this being the first point debated in the treaty, and a church-controversy, it will be proper to represent the instructions on both sides. While this was upon the carpet, Dr. Steward, clerk of the closet, and a commissioner for the king, sat covered without the bar, behind the commissioners; as did Mr. Henderson behind those of the parliament. The assistant divines were present in places appointed for them, opposite to each other.

His majesty's instructions to his commissioners on the head of religion were these: "Here (says the king) the government of the church will be the chief question, wherein two things are to be considered, conscience and policy; for the first I must declare, that I cannot yield to the change of the government by bishops, not only because I fully concur with the most general opinion of Christians in all ages, in episcopacy's being the best government, but likewise I hold myself particularly bound by the oath I took at my coronation, not to alter the government of this church from what I found it; and as for the church-patrimony, I cannot suffer any diminution or alienation of it, it being, without peradventure, sacrilege, and likewise contrary to my coronation-oath; but whatsoever shall be offered for rectifying abuses, if any have crept in, or for the ease of tender consciences (provided the foundation be not damaged,) I am content to hear, and willing to return a gracious answer. Touching the second, that is, the point of policy, as it is the king's duty to protect the church, so the church is reciprocally bound to assist the king in the maintenance of his just authority. Upon these views my predecessors have been always careful (especially since the Reformation) to keep the dependence of the clergy entirely upon the crown, without which it will scarce set fast on the king's head; therefore you must do nothing to change or lessen this natural dependence\*."

The commissioners from the two houses of parliament at West-  
 tion. The subject here was Ireland, not the militia." So Mr. Neal represents it; but the force of his remark turns on the propriety of putting the sword into the king's hands; and whether the sword was worn by the English militia or the Irish rebels, in either case it was an object of fear and jealousy to the parliament. The reader will not be displeased to see how the bishop becomes advocate for the king on the charge here alleged, of breaking his promise to leave the Irish war to the parliament. His answer, i. e. the king's, says his grace, is to this effect, and I think it very pertinent. "It is true, I made this promise, but it was when the parliament was my friend, not my enemy. They might be then entrusted with my quarrel; but it would be madness to think they now can. To prevent, therefore, their making a treaty with the Irish, and in their distresses bringing over their troops against me, I have treated with them, and have brought over the troops against them." This was speaking like a wise and able prince.—Ed.

\* Rushworth, vol. 5. p. 945.

minster, instead of being instructed to treat about a reformation of the hierarchy, were ordered to demand the passing of a bill for abolishing and taking away episcopal government; for confirming the ordinance for the calling and sitting of the assembly of divines; that the Directory for public worship, and the propositions concerning church-government, hereunto annexed, be confirmed as a part of reformation of religion and uniformity; that his majesty take the solemn league and covenant, and that an act of parliament be passed, enjoining the taking it by all the subjects of the three kingdoms\*.

The propositions annexed to these demands were these, viz. "that the ordinary way of dividing Christians into distinct congregations, as most expedient for edification, be by the respective bounds of their dwellings.

"That the ministers, and other church-officers in each particular congregation, shall join in the government of the church in such manner as shall be established by parliament.

"That many congregations shall be under one presbyterial government.

"That the church be governed by congregational, classical, and synodical assemblies, in such manner as shall be established by parliament.

"That synodical assemblies shall consist both of provincial and national assemblies."

One may easily observe the distance between the instructions of the two parties; one being determined to maintain episcopacy, and the other no less resolute for establishing presbytery. After several papers had passed between the commissioners, about the bill for taking away episcopacy, it was debated by the divines for two days together.

Mr. Henderson, in a laboured speech, endeavoured to shew the necessity of changing the government of the church, for the preservation of the state,—“That now the question was not, whether the government of the church by bishops was lawful, but whether it was so necessary that Christianity could not subsist without it.—That this latter position could not be maintained in the affirmative, without condemning all other reformed churches in Europe.—That the parliament of England had found episcopacy a very inconvenient and corrupt government—that the hierarchy had been a public grievance from the Reformation downwards—that the bishops had always abetted Popery, had retained many superstitious rites and customs in their worship and government: and over and above had lately brought in a great many novelties into the church, and made a nearer approach to the Roman communion, to the great scandal of the Protestant churches of Germany, France, Scotland, and Holland.—That the prelates had embroiled the British island, and made the two

\* Dugdale, p. 766.



nations of England and Scotland fall foul upon each other.—That the rebellion in Ireland, and the civil war in England, may be charged upon them—that for these reasons the parliament had resolved to change this inconvenient mischievous government, and set up another in the room of it, more naturally formed for the advancement of piety—that this alteration was the best expedient to unite all Protestant churches, and extinguish the remains of Popery—he hoped therefore the king would concur in so commendable and godly an undertaking; and conceived his majesty's conscience could not be urged against such a compliance, because he had already done it in Scotland; nor could he believe that episcopacy was absolutely necessary to the support of the Christian religion\*.”

Dr. Steward, clerk of the king's closet, addressing himself to the commissioners, replied, “he knew their lordships were too well acquainted with the constitution of the church of England, and the basis upon which it stood, to imagine it could be shaken by the force of Mr. Henderson's rhetoric—that he was firmly of opinion, that a government, which from the planting of Christianity in England had continued without interruption, that a government under which Christianity had spread and flourished to a remarkable degree, could have nothing vicious or antichristian in its frame; that he expected that those who had sworn themselves to an abolition of this primitive constitution, and came hither to persuade their lordships and his majesty to a concurrence, would have endeavoured to prove the unlawfulness of that government they pressed so strongly to remove;—but though in their sermons and prints they gave episcopacy an antichristian addition, Mr. Henderson had prudently declined charging so deep, and only argued from the inconveniences of that government, and the advantages which would be consequent on an alteration. Forasmuch as a union with the Protestant churches abroad was the chief reason for his change, the doctor desired to know what foreign church they designed for a pattern—that he was sure the model in the Directory had no great resemblance to any foreign reformed church—and though he would not enter upon a censure of those communions, yet it was well known that the most learned men of those churches had lamented a defect in their reformation; and that the want of episcopacy was an unhappy circumstance—that they had always paid a particular reverence to the church of England, and looked on it as the most perfect constitution, upon the score of its having retained all that was venerable in antiquity. From hence he proceeded to enlarge upon the apostolical institution of episcopacy, and endeavoured to prove, that without bishops the sacerdotal character could not be conveyed, nor the sacraments administered to any significance.

“As to his majesty's consenting to put down episcopacy in

\* Clarendon, vol. 2. p. 584.

Scotland, he would say nothing, though he knew his majesty's present thoughts upon that subject. But he observed that the king was farther obliged in this kingdom than in the other; that in England he was tied by his coronation-oath to maintain the rights of the church, and that this single engagement was a restraint upon his majesty's conscience, not to consent to the abolition of episcopacy, or the alienation of church-lands."

Mr. Henderson and Mr. Marshal declared it to be false in fact, and a downright imposition upon the commissioners, that the foreign Protestants lamented the want of episcopacy, and esteemed our constitution more perfect than their own\*. They then ran out into a high commendation of presbyterial government, as that which had the only claim to a divine right†. Upon which the marquis of Hertford‡ spoke to this effect:

"My lords,

"Here is much said concerning church-government in the general; the reverend doctors on the king's part affirm, that episcopacy is *jure divino*; the reverend ministers on the other part affirm, that presbytery is *jure divino*; for my part, I think neither the one nor the other §, nor any government whatsoever, to be *jure divino*; and I desire we may leave this argument, and proceed to debate on the particular proposals ||."

Dr. Steward desired they might dispute syllogistically, as became scholars, to which Mr. Henderson readily agreed; in that way they proceeded about two days; the points urged by the king's doctors were strongly opposed by Mr. Henderson, Mr. Marshal, and Mr. Vines, and very learnedly replied to by his majesty's divines, who severally declared their judgments upon the apostolical institution of episcopacy; but neither party were convinced or satisfied.

When the debate concerning religion came on a second time, his majesty's commissioners delivered in their answer to the parliament's demands in writing, with their reasons why they could not consent to the bill for abolishing episcopacy, and establishing the Directory in the room of the Common Prayer, nor advise his majesty to take the covenant: but for the uniting and reconciling

\* These assertions of Mr. Henderson and Mr. Marshal are not to be found, as Dr. Grey remarks, in the place to which Mr. Neal refers. Rushworth says there only in general, "that Mr. Henderson and Mr. Marshal answered the doctor, commending the Presbyterian way of government, and that episcopacy was not so suitable to the word of God as presbytery, which they argued to be *jure divino*." See also Whitelocke's Memorials, p. 123. Dr. Grey fills several pages with quotations from Calvin, Beza, and other foreign divines, in favour of episcopacy.—Ed.

† Rushworth, p. 848.

‡ Rushworth and Whitelocke add, that the earl of Pembroke and many of the commissioners, besides these two lords, were of the same judgment, and wished, passing over this point, to come to the particulars. Rushworth's Collection, vol. 5, p. 849. Whitelocke's Memorials, p. 123.—Ed.

§ "The marquis of Hertford (says bishop Warburton) seems to have read Hooker to more advantage than the king his master; who fancied that great men contended for the *jus divinum* of episcopacy in his E. P., in which he has been followed by many divines since."—Ed.

|| Whitelocke, p. 123.



all differences in matters of religion, and procuring a blessed peace, they were willing to consent,

(1.) "That freedom be left to all persons, of what opinion soever, in matters of ceremony; and that all the penalties of the laws and customs which enjoin those ceremonies be suspended \*.

(2.) "That the bishop shall exercise no act of jurisdiction or ordination, without the consent of the presbyters, who shall be chosen by the clergy of each diocess, out of the most learned and grave ministers of the diocess †.

(3.) "That the bishop keep his constant residence in his diocess, except when he shall be required by his majesty to attend him on any occasion, and that (if he be not hindered by the infirmities of old age or sickness) he preach every Sunday in some church within his diocess.

(4.) "That the ordination of ministers shall be always in a public and solemn manner, and very strict rules observed concerning the sufficiency and other qualifications of those men who shall be received into holy orders, and the bishops shall not receive any into holy orders without the approbation and consent of the presbyters, or the major part of them.

(5.) "That a competent maintenance and provision be established by act of parliament, to such vicarages as belong to bishops, deans, and chapters, out of the impropriations, and according to the value of those impropriations of the several parishes.

(6.) "That for time to come no man shall be capable of two parsonages or vicarages, with cure of souls.

(7.) "That towards settling the public peace, 100,000*l.* shall be raised by act of parliament out of the estates of bishops, deans, and chapters, in such manner as shall be thought fit by the king and two houses of parliament, without the alienation of any of the said lands.

(8.) "That the jurisdiction in causes testamentary, decimal, matrimonial, be settled in such manner as shall seem most convenient by the king and two houses of parliament.

(9.) "That one or more acts of parliament be passed for regulating of visitations, and against immoderate fees in ecclesiastical courts, and abuses by frivolous excommunication, and all other abuses in the exercise of ecclesiastical jurisdiction, in such manner as shall be agreed upon by the king and both houses of parliament.

"And if your lordships shall insist upon any other thing which your lordships shall think necessary for reformation, we shall very willingly apply ourselves to the consideration thereof." But they absolutely refused their consent to the main points, viz. the abolishing episcopacy, establishing the Directory, confirming the assembly of divines, and taking the covenant.

Mr. Rapin observes, upon the first of these concessions, that since the penal laws were not to be abolished, but only suspended,

\* Rushworth, p. 872.

† Dugdale, p. 780.

it would be in the king's power to take off the suspension whenever he pleased. Upon the third, fourth, and fifth, that they were so reasonable and necessary, that it was not for the king's honour to let them be considered as a condescension to promote the peace; and the remainder, depending upon the joint consent of king and parliament, after a peace, it would always be in the king's breast to give or withhold his assent, as he thought fit\*.

The commissioners for the parliament replied to these concessions, that they were so many new propositions, wholly different from what they had proposed, that they contained little or nothing but what they were already in possession of by the laws of the land; that they were no way satisfactory to their desires, nor consisting with that reformation to which both nations are obliged by the solemn league and covenant; therefore they can give no other answer to them, but insist to desire their lordships, that the bill may be passed, and their other demands concerning religion granted†. The parliament-commissioners, in their last papers, say, that all objections in favour of the present hierarchy, arising from conscience, law, or reason, being fully answered, they must now press for a determinate answer to their proposition concerning religion.

The king's commissioners deny, that their objections against passing the bill for abolishing episcopacy have been answered, or that they had received any satisfaction in those particulars, and therefore cannot consent to it.

The parliament-commissioners add, that after so many days' debate, and their making it appear, how great a hinderance episcopal government is and has been to a perfect reformation, and to the growth of religion, and how prejudicial it has been to the state, they hoped their lordships would have been ready to answer their expectations‡.

The king's commissioners replied, "It is evident, and we conceive consented to on all sides, that episcopacy has continued from the apostles' time, by a continued succession, in the church of Christ, without intermission or interruption, and is therefore *juro divino*."

The parliament-commissioners answer, "So far were we from consenting that episcopacy has continued from the apostles' time, by a continued succession, that the contrary was made evident to your lordships, and the unlawfulness of it fully proved§."

The king's commissioners replied, that they conceived the succession of episcopacy from the apostles was consented to on all sides, and did not remember that the unlawfulness of it had been asserted and proved||. However, they apprehend all the inconveniences of that government are remedied by the alterations which they had offered. Nor had the parliament-commissioners given them a view in particular of the government they would substitute

\* History, vol. 2. p. 512, 513.

† Ibid. p. 787.

§ Ibid. p. 788.

‡ Dugdale, p. 783.

|| Ibid. p. 790, 878.



in place of the present; if therefore the alterations proposed do not satisfy, they desire the matter may be suspended till after the disbanding the armies, and both king and parliament can agree in calling a national synod.

The above-mentioned concessions would surely have been a sufficient foundation for peace, if they had been made twelve months sooner, before the Scots had been called in with their solemn league and covenant, and sufficient security had been given for their performance; but the commissioners' hands were now tied; the parliament apprehending themselves obliged by the covenant to abolish the hierarchy; and yet if the commissioners could have agreed about the militia, and the punishment of evil counsellors, the affair of religion would not, in the opinion of lord Clarendon, have hindered the success of the treaty; his words are these: "The parliament took none of the points of controversy less to heart, or were less united in any thing, than in what concerned the church\*; the Scots would have given up every thing into the hands of the king for their beloved presbytery; but many of the parliament were for peace, provided they might have indemnity for what was passed, and security for time to come†." And were not these reasonable requests? Why then did not the commissioners prevail with the king to give them security, and divide the parliament, or put an end to the war?

The last day of the treaty the parliament continued sitting till nine of the clock at night, in hopes of hearing something from their commissioners, that might encourage them to prolong the treaty; but when an express brought word, that the king's commissioners would not yield to one of their propositions, they broke up without doing any thing in the business. Each party laid the blame upon the other; the king's commissioners complained, that the parliament would not consent to prolong the treaty‡; and the others, that after twenty days' conference not one proposition had been yielded. All sober men, and even some of the king's commissioners, were troubled at the event; but considering the state of the king's affairs, and his servile attachment to the counsels of a Popish queen, it was easy to foresee it could not be otherwise.

Bishop Burnet, in the History of his Life and Times §, says, that lord Hollis, who was one of the commissioners, told him, "that the king's affairs were now at a crisis, for the treaty of Uxbridge gave him an opportunity of making peace with the parliament, but all was undone by the unhappy success of the marquis of Montrose at this time in Scotland, which being magnified to the king far beyond what it really was, prevailed with his majesty to put such limitations on his commissioners, as made the whole design miscarry."

Most of the king's commissioners, who were not excepted out of the article of indemnity, were for accommodating matters before

\* Clarendon, vol. 2. p. 581.

† Ibid. p. 594.

‡ See a proof of this in Dr. Grey.—Ed.

§ Vol. 1. p. 51, Edinburgh edition.

they left Uxbridge. The earl of Southampton rode post from Uxbridge to Oxford, to entreat the king to yield something to the necessity of the times; several of his council pressed him to it on their knees; and it is said his majesty was at length prevailed with, and appointed next morning to sign a warrant to that purpose, but that Montrose's romantic letter, of his conquest in Scotland, coming in the meantime, made the unhappy king alter his resolution\*.

But there was something more in the affair than this: lord Clarendon† is of opinion, that if the king had yielded some things to the demands of the parliament relating to religion, the militia, and Ireland, there were still other articles in reserve that would have broken off the treaty; in which I cannot but agree with his lordship; for not to mention the giving up delinquents to the justice of parliament, of which himself was one, there had been as yet no debate about the Roman Catholics, whom the parliament would not tolerate, and the king was determined not to give up, as appears from the correspondence between himself and the queen at this time. In the queen's letter, January 6, 1644-5, she desires his majesty "to have a care of his honour, and not to abandon those who had served him—for if you agree upon strictness against Roman Catholics, it will discourage them from serving you; nor can you expect relief from any Roman Catholic prince‡."—In her letter of January 27, she adds, "Above all have a care not to abandon those who have served you, as well the bishops as the poor Catholics." In answer to which the king writes, January 30, "I desire thee to be confident, that I shall never make peace by abandoning my friends." And, February 15, "Be confident, that in making peace I shall ever shew my confidence in adhering to the bishops, and all our friends."—March 5, "I give thee power

\* Dr. Grey attempts to convict Mr. Neal of falsehood in each part of this paragraph. For the first part, the doctor says, "that, as far as he could learn, there was not so much as the shadow of an authority." In reply, it may be observed, that though Mr. Neal has not, as it is to be wished he had, referred to his authority, yet the doctor's assertion is not well supported. For Whitelocke informs us, that "on the 19th of February the earl of Southampton and others of the king's commissioners went from Uxbridge to Oxford, to the king, about the business of the treaty, to receive some further directions from his majesty therein." *Memorials*, p. 127. As the treaty closed on the 22d, the reader will judge, whether Mr. Neal, speaking of the object and expedition of this journey, had not so much as the shadow of an authority. With respect to the latter part of the paragraph concerning Montrose, Dr. Grey will have it, that bishop Burnet's authority makes directly against Mr. Neal; and then he quotes from him as follows: "Montrose wrote to the king, that he had gone over the land from Dan to Beersheba, and that he prayed the king to come down in these words, Come thou and take the city, lest I take it, and it be called by my name." This letter was written, but never sent, for he was routed, and his papers taken before he had dispatched the courier. Of course the doctor means to conclude, that the king could not be influenced to obstruct the operation of the treaty, by a letter which was never received. But it escaped Dr. Grey's attention, that the letter which he quotes was written more than a year after the treaty was broken off; and Mr. Neal speaks, on the authority of bishop Burnet, of another letter, or expresses received, while the treaty was pending. So that there is no contradiction in the case.—*Ed.*

† Vol. 2. p. 594.

‡ Rapin, vol. 2. p. 511, 512, folio edition.



in place of the present; if therefore the alteration that I will take not satisfy, they desire the matter may be referred to the commons in England, the disbanding the armies, and both king and commons as by their means agree in calling a national synod.

The above-mentioned concessions were for Ireland, his majesty sufficient foundation for peace, if the duke of Ormond, by his letter of months sooner, before the Scots and Papists, cost what it would. solemn league and covenant, and he will do it (says he), and taking for their performance; but they think it a hard bargain—When tied; the parliament approved that they have promised, I will con- covenant to abolish the law, that the peace which the king seemed could have agreed about, was an empty sound. The queen was afraid Clarendon, have his majesty's commission with to yield too far; but his majesty bids are these: "The contrary, for 'his commissioners would very less to her majesty's honour, and which he would not alter.'" When the thing into the king's remembrance, he writes thus to the queen, March 13: "Now many of the things which I foresaw, the fruitless end of this treaty. indemnify me for any thing unhandsome to myself or my friends, it will And if I do any fault—I was afraid of being pressed to make some com- di- shall be to my honour and advantage†." Such was the queen's di- shall be to my honour and advantage†." Such was the queen's

ascendant over the king, and his majesty's servile submission to her imperious dictates§; the fate of three kingdoms was at her disposal; no place at court or in the army must be disposed of without her approbation; no peace must be made but upon her terms; the Oxford mongrel parliament, as his majesty calls it, must be dismissed with disgrace, because they voted for peace; the Irish Protestants must be abandoned to destruction; and a civil war permitted to continue its ravages throughout England and Scotland, that a Popish religion and arbitrary government might be encouraged and upheld||.

As a farther demonstration of this melancholy remark, his majesty authorised the earl of Glamorgan, by a warrant under his royal signet, dated March 12, 1644, to conclude privately a peace with the Irish Papists upon the best terms he could, though they were such as his lieutenant the duke of Ormond might not well

\* Rushworth, vol. 5. p. 942. 944. 946, 947.

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|| Clarendon, vol. 2. p. 364.

seen in, nor his majesty himself think fit to own publicly at  
 ent, engaging, upon the word of a king and a Christian, to  
 and perform whatsoever he should grant under his hand and  
 condition they would send over into England a body of  
 and men, under the command of the said earl\*. The  
 warrant is remarkable, as it was at a time when his  
 affairs were far from being desperate; when he thought  
 in the parliament-house would quickly be their ruin,  
 he had little more to do than to sit still and be restored  
 his own terms, for which reason he was so unyielding at the  
 city of Uxbridge; and yet the earl, by his majesty's commission,  
 granted every thing to the Irish, even to the establishing the  
 Roman-Catholic religion, and putting it on a level with the Pro-  
 testant: he gave them all the churches and revenues they were  
 possessed of since the Rebellion, and not only exempted them from  
 the jurisdiction of the Protestant clergy, but allowed them juris-  
 diction over their several flocks, so that the reformed religion in  
 that kingdom was in a manner sold for ten thousand Irish Papists,  
 to be transported into England and maintained for three years.  
 Let the reader now judge, what prospect there could be of a well-  
 grounded peace by the treaty of Uxbridge! What security there  
 was for the Protestant religion! How little ground of reliance on  
 the king's promises! and consequently, to whose account the cala-  
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in my name, to declare to whom thou thinkest fit, that I will take away all the penal laws against the Roman Catholics in England, as soon as God shall make me able to do it, so as by their means I may have so powerful assistance as may deserve so great a favour, and enable me to do it \*."—As for Ireland, his majesty had already commanded the duke of Ormond, by his letter of February 27, to make peace with the Papists, cost what it would. "If the suspending Poyning's act will do it (says he), and taking away the penal laws, I shall not think it a hard bargain—When the Irish give me that assistance they have promised, I will consent to the repeal by law†."

It appears from hence, that the peace which the king seemed so much to desire was an empty sound. The queen was afraid he might be prevailed with to yield too far; but his majesty bids her be confident of the contrary, for "his commissioners would not be disputed from their ground, which was according to the note she remembers, and which he would not alter." When the treaty was ended, he writes thus to the queen, March 13: "Now is come to pass what I foresaw, the fruitless end of this treaty. Now if I do any thing unhandsome to myself or my friends, it will be my own fault—I was afraid of being pressed to make some mean overtures to renew the treaty, but now if it be renewed it shall be to my honour and advantage‡." Such was the queen's ascendancy over the king, and his majesty's servile submission to her imperious dictates§; the fate of three kingdoms was at her disposal; no place at court or in the army must be disposed of without her approbation; no peace must be made but upon her terms; the Oxford mongrel parliament, as his majesty calls it, must be dismissed with disgrace, because they voted for peace; the Irish Protestants must be abandoned to destruction; and a civil war permitted to continue its ravages throughout England and Scotland, that a Popish religion and arbitrary government might be encouraged and upheld||.

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be seen in, nor his majesty himself think fit to own publicly at present, engaging, upon the word of a king and a Christian, to ratify and perform whatsoever he should grant under his hand and seal, on condition they would send over into England a body of ten thousand men, under the command of the said earl\*. The date of this warrant is remarkable, as it was at a time when his majesty's affairs were far from being desperate; when he thought the divisions in the parliament-house would quickly be their ruin, and that he had little more to do than to sit still and be restored upon his own terms, for which reason he was so unyielding at the treaty of Uxbridge; and yet the earl, by his majesty's commission, granted every thing to the Irish, even to the establishing the Roman-Catholic religion, and putting it on a level with the Protestant: he gave them all the churches and revenues they were possessed of since the Rebellion, and not only exempted them from the jurisdiction of the Protestant clergy, but allowed them jurisdiction over their several flocks, so that the reformed religion in that kingdom was in a manner sold for ten thousand Irish Papists, to be transported into England and maintained for three years. Let the reader now judge, what prospect there could be of a well-grounded peace by the treaty of Uxbridge! What security there was for the Protestant religion! How little ground of reliance on the king's promises! and consequently, to whose account the calamities of the war, and the misery and confusions which followed after this period, ought to be placed.

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John White, chairman of the grand committee of religion, and publisher of the *Century of Scandalous Ministers*; he was a grave lawyer, says lord Clarendon, and made a considerable figure in his profession. He had been one of the feoffees for buying in impropriations, for which he was censured in the star-chamber. He was representative in parliament for the borough of Southwark; having been a Puritan from his youth, and, in the opinion of Mr. Whitelocke\*, an honest, learned, and faithful servant of the public, though somewhat severe at the committee for plundered ministers. He died January 29, and was buried in the Temple-church with great funeral solemnity†.

## CHAPTER VI.

THE PROGRESS OF THE WAR. DEBATES IN THE ASSEMBLY ABOUT ORDINATION. THE POWER OF THE KEYS. THE DIVINE RIGHT OF PRESBYTERIAN GOVERNMENT. COMMITTEES FOR COMPREHENSION AND TOLERATION OF THE INDEPENDENTS.

THE king's commissioners had been told at the treaty of Uxbridge, that the fate of the English monarchy depended upon its success; that if the treaty was broken off abruptly, there were a set of men in the house, who would remove the earl of Essex, and constitute such an army, as might force the parliament and king to consent to every thing they demanded, or change the government into a commonwealth; whereas, if the king would yield to the necessity of the times, they might preserve the general, and not only disappoint the designs of the enemies to monarchy, but soon be in circumstances to enable his majesty to recover all he should resign. However the commissioners looked upon this as the language of despair, and made his majesty believe the divisions at Westminster would soon replace the sceptre in his own hands‡.

\* Memorials, p. 122.

† Dr. Grey, on the authority of Walker, "charges Mr. White with corrupt practices by the way of bribery; says, that Dr. Bruno Ryves called him a fornicating Brownist, and that the author of *Persec. Undec.* suggests much worse against him; and, on the testimony of an anonymous author, represents him as dying distracted, crying out, how many clergymen, their wives and children, he had undone; raving and condemning himself at his dying hour, for his undoing so many guiltless ministers." Such representations carry little weight with them against the testimony of Clarendon and Whitelocke: especially, when it is considered that the obnoxious part, which Mr. White acted, would necessarily create many enemies; some of whom would invent, and others easily credit, the most reproachful calumnies against him. Dr. Calamy and Mr. Withers, whom Dr. Grey never notices, have sufficiently exposed the partiality and credulity of Dr. Walker, to render his assertions suspicious. And it should not be overlooked, as a strong presumption at least of the purity of Mr. White's character and the integrity of his proceedings, that he appealed to the public by his *Century of Scandalous Ministers*.—*En.*

‡ Clarendon, vol. 2. p. 595.

The house of commons had been dissatisfied with the conduct of the earls of Essex and Manchester last summer, as tending to protract the war, lest one party should establish itself upon the ruins of the other; but the warmer spirits in the house, seeing no period of their calamities this way, apprehended a decisive battle ought to be fought as soon as possible, for which purpose, after a solemn fast, it was moved that all the present officers should be discharged, and the army intrusted in such hands as they could confide in. December 9, it was resolved, that no member of either house should execute any office civil or military, during the present war; accordingly the ordinance, commonly called the self-denying ordinance, was brought in, and passed the commons ten days after, but was laid aside by the lords till after the treaty of Uxbridge, when it was revived and carried with some little opposition. The earls of Essex, Manchester, Warwick, and Denbigh, the lord Roberts, Willoughby, and others, were dismissed by this ordinance\*, and all members of the house of commons, except lieutenant-general Cromwell, who after a few months was dispensed with, at the request of the new general. All the regiments were disbanded, and such only listed under the new commanders as were determined to conquer or die. Sir Thomas Fairfax was appointed general†, and Oliver Cromwell, after some time, lieutenant-general; the clause for preservation of the king's person was left out of sir Thomas's commission; nor did it run in the name of the king and parliament, but of the parliament only. The army consisted of twenty-one thousand resolute soldiers, and was called in contempt by the royalists the new-modelled army; but their courage quickly revenged the contempt.

Sir Thomas Fairfax was a gentleman of no quick parts or elocution; but religious, faithful, valiant, and of a grave, sober, resolved disposition; neither too great nor too cunning to be directed by the parliament‡. Oliver Cromwell was more bold and aspiring; and being a soldier of undaunted courage and intrepidity, proved at length too powerful for his masters. The army was more at his disposal than at Fairfax's, and the wonders they wrought sprung chiefly from his counsels.

When the old regiments were broken, the chaplains, being discharged of course, returned to their cures; and as new ones were

\* "Thus almost all those men, by whose interest, power, and authority, the war with the king had been undertaken, and without whom no opposition, of any weight, could possibly have been raised, were in a short time deprived of their power and influence over their own army, and obliged, as we shall soon see, to truckle before them. So little can men see into futurity! so different are the turns things take, from what men are apt to expect and depend on." Dr. Harris's *Life of Oliver Cromwell*, p. 118.

† Sir Thomas Fairfax's power extended to the execution of martial law and the nomination of the officers under him. The army was put solely under the command of one man. "What was this (it has been properly asked), but to put it into his power to give law to the parliament, whenever he thought fit?" Dr. Harris, *ut supra*. — Ed.

‡ Baxter's *Life*, p. 48.



formed, the officers applied to the parliament and assembly for a fresh recruit; but the Presbyterian ministers being possessed of warm benefices, were unwilling to undergo the fatigues of another campaign, or, it may be, to serve with men of such desperate measures. This fatal accident proved the ruin of the cause in which the parliament were engaged; for the army being destitute of chaplains, who might have restrained the irregularities of their zeal, the officers set up for preachers in their several regiments, depending upon a kind of miraculous assistance of the divine Spirit, without any study or preparation: and when their imaginations were heated, they gave vent to the most crude and undigested absurdities; nor did the evil rest there, for from preaching at the head of their regiments, they took possession of the country-pulpits where they were quartered, till at length they spread the infection over the whole nation, and brought the regular ministry into contempt. Most of the common soldiers were religious and orderly, and when released from duty spent their time in prayer and religious conferences, like men who carried their lives in their hands; but for want of prudent and regular instruction, were swallowed up in the depths of enthusiasm. Mr. Baxter therefore observes very justly, "It was the ministers that lost all by forsaking the army, and betaking themselves to an easier and quieter way of life. When the earl of Essex's army went out, each regiment had an able chaplain, but after Edgehill fight most of them went home, and left the army to their own conduct." But, even after the decisive battle of Naseby, he admits, great numbers of the officers and soldiers were sober and orthodox; and from the little good which he did whilst among them, concludes, that if their ministers would have followed his measures, the king, the parliament, and religion, might have been saved\*.

The new-modelled troops were kept under the severest discipline, commissioners being appointed to take care that the country was not oppressed; that no soldiers were quartered in any place but by appointment of the quarter-master; that ready money be paid for all provisions and ammunition; every soldier had sixpence a day for his diet, and every trooper eightpence. No inhabitants were compelled to furnish more provisions than they were able and willing to spare, under the severest penalties; whereas the royal army, having no regular pay, lived upon the plunder of those places that had the misfortune to receive them.

May 30, the king took the town of Leicester by storm, with a very great treasure, which the country people had brought thither for security, his soldiers dividing the spoil, and treating the inhabitants in a most cruel and unmerciful manner; after this conquest, his majesty wrote to the queen, that his affairs were never in so hopeful a posture since the Rebellion†. The parliament-army

\* Baxter's Life, p. 51. 56.

† Whitelocke's Memoirs, p. 143, 144.

were preparing to lay siege to the city of Oxford, but upon news of this disaster, had orders to follow the king, and hazard a battle at all events; whereupon sir Thomas Fairfax petitioned the two houses, to dispense with their self-denying ordinance with respect to lieutenant-general Cromwell, whose courage and counsels would be of great service in the present crisis: Cromwell was accordingly dispensed with during pleasure, and having joined the army with six hundred horse and dragoons, they overtook the king, and gave him battle June 14, at Naseby, about three miles from Harborough in Leicestershire.

The action began about ten in the morning, and ended about three or four in the afternoon, in an absolute defeat of the king's forces, which was owing, in a great measure, to the wise conduct and resolution of lieutenant-general Cromwell, on the one hand, and to the indiscreet fury and violence of prince Rupert on the other. The armies were pretty equal in number, about twelve or fourteen thousand on a side, but the parliament-soldiers were better disciplined, and fought with all the bravery and magnanimity that an enthusiastic zeal could inspire. General Fairfax, having his helmet beat off, rode up and down the field bare-headed; major-general Skippon received a wound in the beginning of the engagement, upon which being desired to go off, he answered, he would not stir as long as a man would stand. Ireton was run through the thigh with a pike, had his horse killed under him, and was made a prisoner, but found means to escape upon the turn of the battle. The king shewed himself a courageous commander, but his soldiers were struck with such a panic, that when they were once disordered they would never rally, whereas if their enemies were beaten from their ground they presently returned, and kept their ranks till they received fresh instructions\*. When prince Rupert had routed Ireton's left wing, he lost his advantage, first, by following the chase almost three miles, and then by trying to become master of the train of artillery, before he knew the success of the main body; whereas, when Cromwell had broke the right wing of the enemy, he pursued them only a quarter of a mile, and leaving a small party of horse to prevent their rallying, returned immediately to the battle, and with his victorious troops charged the royal infantry in flank. The parliament-army took above five thousand prisoners; all the king's train of artillery, bag and baggage, with his cabinet of letters, some of which were afterward published to the world; not above six or seven hundred of his men being killed, with about one hundred and fifty officers. The king, with a party of horse, fled into Wales, and prince Rupert to Bristol; but the parliament-forces pursued their victory with such eagerness, and marched with that rapidity over the whole west of England, to the very land's end, that in a few months all the royal forces were dispersed,

\* Whitelocke, p. 145. Clarendon, vol. 2, p. 658.



and his majesty's garrisons surrendered almost before they were summoned\*. The city of Bristol, into which prince Rupert had thrown himself, capitulated before the besiegers approached the walls, which provoked the king to that degree, that he commanded him by letter to depart the land, as did also the prince of Wales, for the security of his person; so that by the end of this campaign, the unhappy king was exposed to the mercy of his enemies, and shut up all the winter little better than a prisoner in his garrison at Oxford.

To return to the affairs of the church. When it is recollected what great numbers of clergymen had deserted to the king, or were otherwise dissatisfied with the new terms of conformity, we must conclude it very difficult to supply the vacant pulpits in the country with a learned and regular clergy: one of the universities was entirely useless, and the young students who adhered to the parliament could not obtain ordination in a legal way, because all the bishops were in the opposition, and would ordain none but those of their own principles, which was another cause of the increase of unqualified preachers. To put some stop to the clamours of the royalists, and to the mischiefs of lay-preaching, which began to appear in the army, the parliament ordained, April 26, "that no person shall be permitted to preach who is not ordained a minister in this or some other reformed church, except such as intend the ministry, who shall be allowed for the trial of their gifts, by those that shall be appointed thereunto by both houses of parliament; and it is earnestly desired, that sir Thomas Fairfax take care, that this ordinance be put in execution in the army. It is farther ordered to be sent to the lord-mayor, and committee of the militia in London; to the governors and commanders of all forts, garrisons, forces, cities, and towns, with the like injunction; and the mayor, sheriffs, and justices of the peace, are to commit all offenders to safe custody, and give notice to the parliament, who will take a speedy course for their punishment†."

At the same time the lords sent to the assembly, to prepare a new directory for the ordination of ministers of the church in England, without the presence of a diocesan bishop. This took them up a great deal of time, by reason of the opposition it met with from the Erastians and Independents, but was at last accomplished, and passed into an ordinance, bearing date November 8, 1645, and was to continue in force by way of trial for twelve months; on the 28th of August following, it was prolonged for three years, at the expiration of which term it was made perpetual.

The ordinance sets forth, "That whereas the words presbyter and bishop do in Scripture signify the same function, though the title of bishop has been, by corrupt custom, appropriated to

\* Rapin, vol. 2. p. 517, 518, folio.

† Husband's Collections, p. 645.

one, who has assumed to himself, in the matter of ordination, that which was not meet; which ordination, notwithstanding being performed by him, we hold for substance to be valid, and not to be disclaimed by any that have received it; and whereas it is manifest, that ordination, that is, an outward, solemn setting apart of persons for the office of the ministry in the church by preaching presbyters, is an institution of Christ, it is therefore ordained by the lords and commons, with the advice of the assembly of divines at Westminster, that the several and respective classical presbyters, within their respective bounds, may examine, approve, and ordain presbyters, according to the following Directory \*, which I have placed in the Appendix †, and is in substance as follows:

First, "The person to be ordained must apply to the presbytery, with a testimonial of his taking the covenant, of his proficiency in his studies," &c.

Secondly, "He is then to pass under an examination as to his religion and learning, and call to the ministry."

Then follow rules for examination, as in the Appendix.

"After examination he shall receive a public testimonial from his examiners, which shall be read publicly before the people, and then fixed to the door of the church where he preaches for approbation, with liberty to any person or persons to make exceptions.

"Upon the day of ordination a solemn fast shall be kept by the congregation, when, after a sermon, the person to be ordained shall make a public confession of his faith ‡, and declare his resolutions to be diligent and constant in the discharge of his pastoral duty. After which he shall be separated, or set apart, to the pastoral office with a short prayer, and the laying on of the hands of the ministers present. After the ordination, there is to be an exhortation to minister and people, and the whole solemnity to conclude with a psalm and a prayer.

It is farther declared, "that all ordinations, according to the former usage of the church of England, as well as those of Scotland, and other reformed churches, shall be esteemed valid.

"A register is to be kept by every presbytery of the names of the persons ordained by them, of the ministers concerned, and of the time and place where they were settled. No money or gift

\* Rushworth, part 4. vol. 1. p. 212.

† Appendix, No. 9.

‡ It deserves to be noticed here, that the advice and orders of the Westminster assembly are, on this point, very general; namely, "that the person to be ordained be asked of his faith in Jesus Christ, of his persuasion of the truth of the reformed religion according to the Scriptures, and of his zeal for the truth of the gospel and unity of the church, against error and schism." "This, I think, is an evident presumption (observes a late writer) that the majority of the assembly were against imposing human tests, and making subscription to their confession a necessary term of communion, either to ministers or other Christians." "The religious establishment of Scotland examined, &c." printed for Cadell, 1771, p. 105. This is the more remarkable, as, in other instances, this synod shewed themselves dogmatical and intolerant.—Ep.



whatsoever shall be received from the person ordained, or from any on his behalf, for his ordination, or any thing relating to it, except for the instruments or testimonials, which shall not exceed ten shillings.

Lastly, It is resolved, "that all persons ordained according to this Directory, shall be for ever reputed and taken, to all intents and purposes, for lawfully and sufficiently authorized ministers of the church of England, and as capable of any ministerial employment in the church, as any other presbyter already ordained, or hereafter to be ordained."

To give a short specimen of the debates upon this ordinance; when the passage in Timothy, of "laying on of the hands of the presbytery" was voted a full warrant for presbyters ordaining without a bishop, Mr. Selden, Lightfoot, and some others, entered their dissent, declaring that the imposition of hands there spoken of was only upon ordination of an elder; and though elders might ordain elders, it did not necessarily follow they might ordain bishops.

The Independents maintained the right of every particular congregation to ordain its own officers; this was debated ten days; and the arguments on both sides were afterward published by consent of the several parties, in a book entitled, "The Grand Debate between Presbytery and Independency\*." At length the question being put, that it is requisite no single congregation, that can conveniently associate with others, should assume to itself the sole right of ordination, it was carried in the affirmative, the following Independent ministers entering their dissent:

Tho. Goodwin,	Sidrach Simpson,	Will. Greenhill,
Phil. Nye,	William Bridge,	William Carter.
Jer. Burroughs,		

It was next debated, whether ordination might precede election to a particular cure or charge; Dr. Temple, Mr. Herle, Vines, Palmer, Whitaker, and Calamy, argued for the affirmative. 1. From the ordination of Timothy, Titus, and Apollos, without any particular charge. 2. Because it is a different thing to ordain to an office, and to appropriate the exercise of that office to any particular place. 3. If election must precede ordination, then there must be a new ordination upon every new election. 4. It would then follow, that a minister was no minister out of his own church or congregation. And, 5. Then a minister could not gather or plant churches, or baptize new converts, because, according to the Independents, there must first be a church before there can be a minister †.

Mr. Goodwin, Nye, Bridge, and the rest of the Independents, replied to the foregoing reasons, that Timothy and Titus were extraordinary officers—that it appeared to them absurd, to ordain

\* Grand Debate, p. 185.

† MS. *penes me.*

an officer without a province to exercise the office in—that they saw no great inconvenience in re-ordinations, though they did not admit the consequence, that a person regularly ordained to one church, must be re-ordained upon every removal; but they asserted, that a pastor of one particular church might preserve his character in all places; and if there was extraordinary service to be done in planting new churches, or baptizing converts, the churches might send out their officers, or create new ones for that purpose. The grand difficulty with the Independents lay here, that ordination without election to a particular charge seemed to imply a conveyance of office-power, which, in their opinion, was attended with all the difficulties of a lineal succession. The debates upon this article continued several days, and issued at last in a compromise in these words: “It is agreeable to the word of God, and very expedient, that those who are to be ordained ministers, be designed to some particular church, or other ministerial charge.” And with regard to the ceremony of imposition of hands, the Independents acquiesced in the practice, provided it was attended with an open declaration, that it was not intended as a conveyance of office-power.

It may seem absurd to begin the reformation of the church, with an ordinance appointing classical presbyters to ordain ministers within their several districts, when there was not as yet one classical presbytery in all England; but the urgency of affairs required it; the scarcity of ministers would not suffer a delay till the whole fabric of presbytery was erected\*; therefore, to supply this defect for the present, the whole business was intrusted with the assembly, who voted, December 24, 1645, that a committee for examination of ministers should sit every Tuesday and Thursday in the afternoon at two o'clock, and the members of the assembly should attend in their turns, as they shall be nominated and appointed by the scribe, according to the order of their names in the register-book, five at a time, and each to attend a week.

While the point of ordination was depending, committees were chosen to prepare materials for a new form of discipline and church-government; a measure of the greater consequence, because the old form was dissolved, and no other as yet established in its room†. Here the Independents agreed with the Presbyterians, that there was a certain form of church-government laid down in the New Testament, which was of divine institution; but when they came to the question, what that government was? and, whether it was binding in all ages of the church? both the Erastians and Independents divided against them. The proposition was this, that the Scripture holds forth, that many particular congregations may, and by divine institution ought, to be under one presbyterial government. The debate lasted thirty

\* Vide Appendix, No. 9.

† Vide Appendix, No. 9.



days; the Erastians did not except against the presbyterial government as a political institution, proper to be established by the civil magistrate, but they were against the claim of a divine right. Upon this occasion Bulstrode Whitelocke, esq. one of the lay-commissioners, stood up, and made the following speech \*.

“ Mr. Prolocutor,

“ I might blush to speak in this reverend assembly, upon the question now in debate before you, had I not, by the honour of being one of your members, seen your candour to others, and observed you to be most capable to give satisfaction to any scruple here, and to enable such as I am to satisfy objections abroad, whereof I have met with some, your question not being under secrecy.

“ By government all men understand the prudent and well-ordering of persons and affairs, that men may live well and happily; and by the government of the church, the ordering and ruling of persons and matters having relation to the worship of God, in spiritual matters.

“ The word presbyter was in great honour among the Jews, being given to the members of their great sanhedrin, and therefore is not now so properly to be attributed to the rulers of every small congregation. I am none of those, Mr. Prolocutor, who except against the Presbyterian government; I think it has a good foundation, and has done much good in the church of Christ.

“ But, sir, whether this form of government be *jure divino* or not, may admit of some dispute; and, whether it be now requisite for you to declare, that it is so.

“ If the meaning be, that it is *jure divino ecclesiastico*, then the question will be raised, of the magistrates imposing forms upon men's consciences, for then they will be only the magistrates' imposition. But if the meaning be *jure divino absolutè*, it must then be the precept of God, and they are in a sad condition who are not under this government.

“ But it is objected, that no form of government is *jure divino*, but that, in general, all things must be done decently, and in order. A government is certainly *jure divino*, but whether presbytery, episcopacy, independency, or any other form of government, be *jure divino*, or not; that is, whether there be a prescript, rule, or command, of Scripture, for any of those forms, will not be admitted by many as a clear thing.

“ It may therefore not be unworthy your consideration, whether it be not more prudent at this time to forbear to declare your judgments in this point; the truth will nevertheless continue the same.

“ If this government be not *jure divino*, no opinion of any

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\* Whitelocke's Memorials, p. 95.

council can make it so; and if it be *jure divino*, it continues so still, though you do not declare it to be so.

"I therefore humbly submit it to your judgments, whether it be not better at this time to avoid giving occasion to disputes of this nature, and only to present your judgment to the parliament, that the government of the church by presbyteries is most agreeable to the word of God, and most fit to be settled in this kingdom; or in what other expressions you may think fit to clothe your question; and I hope you may soon have a desired issue."

Mr. Selden and St. John were of this mind: and the reverend Mr. Colman was so zealous on this side, that he declaimed against the divine right, not only in the assembly but in the pulpit, apprehending presbytery would prove as arbitrary and tyrannical as prelacy, if it came in on the foot of a divine claim. He therefore proposed, that the civil magistrate should have the sole power of the keys by way of interim, till the nation was settled.

But the Independents opposed the proposition of the divine right of presbytery, by advancing a counter divine right, of their own scheme; fifteen days they took the part of opponents, and fifteen days they were upon the defensive. To give a short specimen of their debates:

The chief inquiries were, concerning the constitution and form of the first church of Jerusalem; the subordination of synods, and of lay-elders\*. Upon the first question the Independents maintained, that the first church at Jerusalem was not larger than could meet in one place. In support of which allegation they produced several passages from the New Testament; as, Acts i. 15, The whole number of disciples being about one hundred and twenty, met together with one accord. And Acts ii. 1, They were all with one accord in one place. When they were multiplied to three thousand, it is still said, they met together with one accord, and in one place, Acts ii. 46. When they were farther increased, multitudes being added to them, both men and women, they still met together with one accord, and in one place, Acts v. 12. 14. When the number of disciples had received yet farther addition, so that it became necessary to choose deacons to take care of the poor, the whole multitude were called together, and chose out seven men from among themselves, and set them before the apostles, Acts vi. 2. 5. And even after the general dispersion of the disciples mentioned Acts viii. it is recorded, that those who remained met together in one place as a church. Acts xv. 4. 22. "Then pleased it the apostles and elders, with the whole church, to send chosen men of their own company to Antioch." They allowed, that there was a mention of a presbytery in Scripture, but that it was no other than the presbytery or elders of one particular church or congregation; it being no where expressed, that God has set in the church distinct sorts of presbyteries, such as, consistories, classes,

\* Grand Debate, p. 13, &c.



provincial synods, and general assemblies, one above another. They objected also to the high powers claimed by the presbyteries, as the right of admission and exclusion from the Christian church with pains and penalties, which, as they had no foundation in Scripture, were not very consistent with the powers of the civil magistrate.

By way of reply, the Presbyterians maintained, that the church of Jerusalem was made up of more congregations than one, as appeared from the multitude of disciples mentioned in divers places \*;—from the many apostles and teachers in the church of Jerusalem, who could not exercise their gifts in one assembly;—and from the diversity of languages mentioned Acts ii. and vi. Now it being granted, that the disciples were too numerous to assemble in one place, it must follow, that they were under one presbyterial government, because they are still called one church, Acts viii. 1, the elders of which are often mentioned in the same history. The ablest critics in the assembly were divided upon this head, as, Dr. Temple, Lightfoot, Selden, Colman, Vines, and others; but it was carried for the Presbyterians.

It was alleged, in favour of the subordination of synods, that the Scripture speaks of an appeal from one or two brethren to the whole church, Matt. xviii. 15; and of the appeal of the church at Antioch to the apostles and elders at Jerusalem, Acts xv. 2 †. But the Independents affirmed, that a synod of presbyters is no where called a church; and that the appeal of the church of Antioch was only for advice, not for a judicial determination: but that, supposing the assembly of the apostles at Jerusalem had been a synod, it could neither be provincial nor national in respect of the church at Antioch, and consequently no proof of a subordination. The masters of Jewish antiquities displayed all their learning upon this subject, for the Jewish sanhedrin being proposed as the model of their Christian presbytery, it was necessary to inquire, what were the respective powers of the ecclesiastical and civil courts under the law ‡. Moses having appointed, that he that would not hearken to the priest or the judge, should die, Deut. xvii. 12,—it was inferred, in favour of church-power, that the priest held one court, and the civil magistrate another; but Mr. Selden observed, that the Vulgar Latin till within these forty years reads thus, “*Qui non obediverit sacerdoti ex decreto judicis morietur.*” “He that will not obey the priest shall die by the sentence of the judge:” and Mr. Lightfoot added, that when the judges of inferior courts went up to Jerusalem by way of appeal, it was only for advice and consultation; but when the question was put, December 12, for a subordination of synods with lay-elders, as so many courts of judicature, with power to dispense church-censures, it was carried in the affirmative, and inserted in their humble advice, with this addition, “So Christ has furnished some in his church, besides ministers of the word, with gifts for

\* Grand Debate, p. 41.

† Ibid. p. 115. 128, &c.

‡ Lightfoot's Remarks, p. 17.

government, and with commission to execute the same when called thereunto, who are to join with the minister in the government of the church, which officers the reformed churches generally call elders \*."

Thus the main foundations of the presbyterial government were voted of divine appointment by a very great majority; but the Independents entered their dissent in writing, and complained to the world "of the unkind usage they met with in the assembly; that the papers they offered were not read; that they were not allowed to state their own questions, being told they set themselves industriously to puzzle the cause, and render the clearest propositions obscure, rather than argue the truth or falseness of them—that it was not worth the assembly's while to spend so much time in debating with so inconsiderable a number of men†; they also declared, that the assembly refused to debate their main proposition, viz. whether a divine right of church-government did not remain with every particular congregation."—To all which it was replied, that the assembly were not conscious they had done them any injustice, and as for the rest, they were the proper judges of their own methods of proceeding.

The Erastians, seeing how things were carried, reserved themselves for the house of commons, where they were sure to be joined by all the patrons of the Independents. The English and Scots commissioners being no less solicitous about the event, gave their friends notice to be early in their places, hoping to carry the question before the house should be full; but Mr. Glyn, perceiving their intention, spoke an hour to the point of *jus divinum*; and after him Mr. Whitelocke stood up and enlarged upon the same argument, till the house was full, when the question being put, it was carried in the negative; and that the proposition of the assembly should stand thus, "That it is lawful and agreeable to the word of God, that the church be governed by congregational, classical, and synodical assemblies‡."

The disappointment of the Scots commissioners and their friends at the loss of this question in the house, is not to be expressed; they alarmed the citizens with the danger of the church, and prevailed with the common-council to petition the parliament [November 15.] that the Presbyterian discipline might be established, as the discipline of Jesus Christ; but the commons answered with a frown, "that the citizens must have been misinformed of the proceedings of the house, or else they would not have precipitated the judgment of parliament." Not

\* Vide Appendix, No. 9.

† This is a specimen of that insolence of spirit, that pride and haughtiness in numbers, which a conviction of acting with the majority begets. These men did not recollect, that the Christians themselves at the beginning, were an inconsiderable number of men, and the disciples of the true and faithful witness a "little flock." They had forgotten the gracious promise made to "two or three" only, gathered together in the name of Christ.—Ed.

‡ Whitelocke's Memoirs, p. 106.



discouraged at this rebuke, they prevailed with the city-ministers to petition, who, when they came to the house, were told by the speaker, "they need not wait for an answer, but go home and look to the charges of their several congregations;" and immediately appointed a committee to inquire into the rise of these petitions.

The Presbyterian ministers, despairing of success with the commons, instead of yielding to the times, resolved to apply to the house of lords, who received them civilly, and promised to take their request into consideration; but no advances being made in two months, they were out of all patience, and determined to renew their application; and to give it the greater weight, prevailed with the lord-mayor and court of aldermen to join with them in presenting an address, which they did January 16, "for a speedy settlement of church-government, according to the covenant, and that no toleration might be given to Popery, prelacy, superstition, heresy, profaneness, or any thing contrary to sound doctrine, and that all private assemblies might be restrained \*." The lords thanked them for their zeal, and recommended it to the city-magistrates to suppress all such unlawful assemblies; but the houses were not to be moved as yet by such disagreeable importunity; however, this laid the foundation of those jealousies and misunderstandings between the city and parliament, which in the end proved the ruin of the Presbyterian cause.

But the fiercest contention between the assembly and parliament arose upon the power of the keys, which the former had voted to be in the eldership or presbytery, in these words, "The keys of the kingdom of heaven were committed to the officers of the church, by virtue whereof they have power respectively to retain and remit sins, to shut the kingdom of heaven against the impenitent both by the word and censures, and to open it to the penitent by absolution; and to prevent the profanation of the holy sacrament by notorious and obstinate offenders, the said officers are to proceed by admonition, suspension from the sacrament of the Lord's supper for a season, and by excommunication from the church, according to the nature of the crime, and demerit of the person †;" all which power they claimed not by the laws of the land, but *jure divino*, or by divine appointment.

The Independents claimed a like power for the brotherhood of every particular congregation, but without any civil sanctions or penalties annexed; the Erastians were for laying the communion open, and referring all crimes to the civil magistrate. When the question therefore came under consideration in the house of commons, the learned Mr. Selden delivered his opinion against all suspensions and excommunications, to this effect, "that for four thousand years there was no law to suspend persons from re-

\* Vol. Pamp. no. 34. p. 3.

† Vide Appendix, No. 9.

ligious exercises. Strangers indeed were kept from the Passover, but they were Pagans, and not of the Jewish religion. The question is not now for keeping away Pagans in times of Christianity, but Protestants from Protestant worship. No divine can shew, that there is any such command as this to suspend from the sacrament. No man is kept from the sacrament, *eo nomine*, because he is guilty of any sin, by the constitution of the reformed churches, or because he has not made satisfaction. Every man is a sinner; the difference is only, that one is in private, and the other in public. *Die ecclesie* in St. Matthew were the courts of law which then sat at Jerusalem. No man can shew any excommunication till the popes Victor and Zephorinus, two hundred years after Christ, first began to use them upon private quarrels, whereby it appears, that excommunication is a human invention taken from the heathens \*.

Mr. Whitelocke spoke on the same side of the question, and said, "The assembly of divines have petitioned and advised this house, that in every presbytery, or presbyterian congregation, the pastors and ruling elders may have the power of excommunication, and of suspending such as they shall judge ignorant or scandalous. By pastors, I suppose, they mean themselves, and others who are or may be preachers, and would be bishops or overseers of their congregations. By ruling elders they mean, a select number of such in every congregation as shall be chosen for the execution of government and discipline therein. A pastor is one who is to feed his sheep; and if so, how improper must it be for such to desire to excommunicate any, or keep them from food; to forbid any to eat, or whomsoever they shall judge unworthy, when Christ has said, 'Take eat, and drink, ye all of it,' though Judas was one of them. But some have said, it is the duty of a shepherd, when he sees a sheep feeding upon that which will do him hurt, to chase him away from that pasture; and they apply this to suspending those from the sacrament whom they fear, by eating and drinking unworthily, may eat and drink their own damnation. But it ought to be observed, that it is not receiving the sacrament, but the unworthiness of the receiver, that brings destruction; and this cannot be within the judgment of any but the person himself, who alone can examine his own heart; nor can any one produce a commission for another to be judge thereof. But it is said, that ruling elders are to be joined with the pastors; now, in some country villages and congregations, perhaps, they may not be very learned, and yet the authority given them is very great: the word elders, amongst the Hebrews, signified men of the greatest power and dignity; so it was among the Romans, whose senate was so called, from *senes*, elders. The highest title among the French, Spaniards, and Italians, *seigneur*, and *signiori*, is but a corruption of the Latin word *senior*, elder. The same may be observed in our English

\* Rushworth, p. 203.

† Whitelocke, p. 163, 164.



corporations, where the best and most substantial persons are called aldermen or elder-men. Thus the title of elders may be given to the chief men of every presbytery; but if the power of excommunication be given them, they may challenge the title of elders in the highest signification.

"Power is desired to be given to suspend from the sacrament two sorts of persons, the ignorant and scandalous; now it is possible, that they who are judged to be competent in one place may be deemed ignorant in another; however, to keep them from the ordinances is no way to improve their knowledge. Scandalous persons are likewise to be suspended, and this is to be left to the discretion of the pastors and ruling elders; but where have they such a commission? Scandalous sinners should be admonished to forsake their evil ways, and amend their lives; and how can this be done better, than by allowing them to hear good sermons, and partake of the holy ordinances? A man may be a good physician, though he never cuts off a member from his patient; and a church may be a good church, though no member of it has ever been cut off. I have heard many complaints of the jurisdiction of the prelates, who were but few; now in this ordinance there will be a great multiplication of spiritual men in government, but I am of opinion, that where the temporal sword is sufficient for punishment of offences, there will be no need of this new discipline."

Though the parliament did not deem it prudent wholly to reject the ordinance for excommunication, because it had been the popular complaint in the late times, that pastors of churches had not power to keep unworthy communicants from the Lord's table; yet the speeches of these learned gentlemen made such an impression, that they resolved to render it ineffectual to all the purposes of church-tyranny; accordingly they sent to the assembly, to specify in writing what degrees of knowledge in the Christian religion were necessary to qualify persons for the communion; and, what sorts of scandal deserved suspension or excommunication. Which, after much controversy, they presented to the houses, who inserted them in the body of their ordinance for suspension from the Lord's supper, dated October 20, 1645, together with certain provisos of their own.

The ordinance sets forth, that the several elderships within their respective limits, shall have power to suspend, from the sacrament of the Lord's Supper, all ignorant and scandalous persons, within the rules and directions hereafter mentioned, and no others\*.

*Rules for suspending from the sacrament in case of ignorance.*

"All that do not know and believe the being of a God, and the holy Trinity:—They that are not acquainted with original sin, and the fall of man:—They that do not believe Christ to be God

\* Rushworth, part 4. vol. 1. p. 211.

and man, and our only mediator and redeemer ;—that Christ and his benefits are applied only by faith ; which faith is the gift of God, and implies a trusting in him, for the remission of sins, and life everlasting ;—the necessity of sincere repentance, and a holy life, in order to salvation ;—the nature and importance of the two sacraments, especially of the Lord's Supper ;—that the souls of the faithful do immediately live with Christ after death ; and the souls of the wicked immediately go to hell ;—the resurrection of the body, and a final judgment."

*Rules for suspension in case of scandal.*

"The elderships shall have power to suspend from the sacrament all scandalous persons hereafter mentioned, and no others, being duly convicted by the oaths of two witnesses, or their own confession ; that is to say,

"All blasphemers against God, his holy word, or sacraments.

"Incestuous persons ; adulterers ; fornicators ; drunkards ; profane swearers and cursers ; murderers.

"Worshippers of images, crosses, crucifixes, or relics.

"All that make images of the Trinity, or of any person thereof.

"All religious worshippers of saints, angels, or any mere creature.

"Such as declare themselves not to be in charity with their neighbours.

"Such as shall challenge others to a duel, or that shall accept such challenge.

"Such as knowingly shall carry a challenge either by word, message, or writing.

"Such as profane the Lord's day by dancing, playing at cards or dice, or any other game ; or that shall on the Lord's day use masking, wakes, shooting, bowling, playing at football or stool-ball, wrestling ; or that shall resort to plays, interludes, fencing, bull-baiting, or bear-baiting ; or that shall use hawking, hunting, coursing, fishing, or fowling ; or that shall publicly expose any wares to sale, otherwise than is provided by the ordinance of April 6, 1644 ; or, that shall travel on the Lord's day without reasonable cause.

"Such as keep known stews, or brothel-houses ; or that shall solicit the chastity of any person for himself, or another.

"Such parents as give their consent to marry their children to Papists ; and such as do themselves marry a Papist.

"Such as consult for advice, witches, wizards, or fortune-tellers.

"Such as assault their parents, or any magistrate, minister, or elder, in the execution of his office.

"Such as shall be legally attainted of barratry, forgery, extortion, or bribery.

"And the several elderships shall have power to suspend all



ministers who shall be duly convicted of any of the crimes above mentioned, from giving or receiving the Lord's supper.

"Persons suspended by one congregation shall not be admitted to the sacrament by another, without certificate from that congregation of which he was a member. But in all cases of suspension, if the party suspended shall manifest his repentance before the eldership by whom he was suspended, he shall be re-admitted to the Lord's supper, and the suspension taken off."

But then follow the provisoes, which stripped the presbyteries of that power of the keys which they were reaching at.

"Provided always, that if any person find himself aggrieved with the proceedings of the presbytery to which he belongs, he may appeal to the classical eldership; from them to the provincial assembly; from them to the national; and from them to the parliament.

It is farther provided, "that the cognizance and examination of all capital offences shall be reserved entire to the magistrate appointed by the laws of the kingdom, who, upon his committing the party to prison, shall make a certificate to the eldership of the congregation to which they belonged, who may thereupon suspend them from the sacrament.

"The presbytery or eldership shall not have cognizance of any thing relating to contracts, payments, or demands: or of any matter of conveyance, title, interest, or property, in lands or goods.

"No use shall be made of any confession, or proof made before an eldership, at any trial at law of any person for any offence.

"And it is farther ordained, that those members of parliament who are members of the assembly of divines, or any seven of them, shall be a standing committee, to consider of such other offences or scandals, not mentioned in this ordinance, which may be conceived to be a sufficient cause of suspension from the sacrament, and shall lay them before the parliament."

By an ordinance of June 5, 1646, a discretionary power was lodged in a committee of lords and commons, not less than nine, to adjudge and determine scandalous offences, not formerly enumerated, and report them to the two houses, that if they concurred with the committee they might be added to the catalogue.

By these provisoes it is evident the parliament were determined not to part with the spiritual sword, or subject their civil properties to the power of the church, which gave great offence to the Scots commissioners, and to most of the English Presbyterians, who declaimed against the ordinance, as built upon Erastian principles, and depriving the church of that which it claimed by a divine institution. They allowed of appeals from one spiritual court to another, but declared openly from the pulpit and press, that appeals to the parliament or civil magistrate, as the dernier resort, were insufferable. The parliament, observing their ambition of making the church independent of the state, girt the laws

closer about them, and subjected their determinations more immediately to the civil magistrate, by an ordinance dated March 14, 1645—6, which enacts, "that an appeal shall lie from the decisions of every classis, to the commissioners chosen by parliament out of every province, and from them to the parliament itself. That if any person commit any scandalous offences not mentioned in the ordinance, the minister may forbear to administer the sacrament to him for that time; but then he shall, within eight days, certify the same to the commissioners, who shall send up the case, with their opinions, to the parliament, by whose determination the eldership shall abide."

This ordinance of suspension from the sacrament was extorted from the two houses before the time, by the importunate solicitations of the city-clergy; for as yet there were no classes or presbyteries in any part of England, which ought to have been erected before they had determined their powers. The houses had voted, that there should be a choice of lay-elders throughout England and Wales, and had laid down some rules for this purpose August 19, 1645; but it was the 14th of March following before it passed into a law.

It was then ordained, 1. "That there be forthwith a choice of [ruling] elders throughout the kingdom of England and dominion of Wales.

2. "That public notice be given of such election in every parish, by the minister of the church, a fortnight before; and that on the Lord's day on which the choice is to be made, a sermon be preached suitable to the occasion.

3. "Elections shall be made by the congregation, or the major part of them then assembled, being heads of families, and such as have taken the covenant.

4. "That certain persons be appointed triers in every classis, viz. six ministers and three laymen, whereof seven to be a quorum, to determine the validity of elections. All members of parliament, and peers of the realm, to be triers in the parishes wherein they live.

5. No man to be a ruling elder but for one congregation, and that in the parish where he lives.

6. "The qualifications of a ruling elder are, that he be of good understanding in religion, sound in the faith, prudent, discreet, grave, of unblameable conversation, willing to undergo the office, and in communion with the church.

7. "All parishes, privileged places, exempt jurisdictions, and all other places whatsoever, shall be brought under the exercise of congregational, classical, provincial, and national assemblies, except chapels within any of the king's houses, or the house of peers, which shall continue free for the exercise of religion, according to the Directory, but not otherwise.

8. "The province of London shall be divided into twelve classical elderships, each to contain about twelve parishes of the



city, and parts adjacent, and these to be the boundaries of the province of London.

9. "The several counties of England and Wales shall be divided into classical presbyteries, by persons to be appointed by parliament for this purpose, who shall settle the boundaries of each classis, and certify the same to the parliament for their approbation.

10. "The presbytery or eldership of every parish shall meet once a week; the classical assemblies of each province once a month, by adjournment, in such places as may be most convenient; provincial assemblies shall meet twice a year; national assemblies as often as they shall be summoned by parliament, and shall continue sitting as long as the parliament shall direct and appoint, and not otherwise.

11. "Every congregational or parochial eldership shall send two elders, or more, not exceeding four, and one minister, to the classical assembly; every classical assembly within the province shall send two ministers, and four ruling elders at least, but not to exceed nine, to the provincial assembly. Every provincial assembly shall appoint two ministers, and four ruling elders, which shall constitute a national assembly, when such a one shall be summoned by parliament\*."

When this ordinance had passed the commons, it stuck a considerable time with the lords, insomuch that the Presbyterian clergy thought it necessary to quicken them by a petition, May 29, under the hands of three hundred ministers, of Suffolk and Essex, lamenting the decay of religion, and the want of church-discipline, and beseeching their lordships to put the finishing hand to the bill so long depending; which they did accordingly June 6, 1646.

Thus the Presbyterian form of church-government became the national establishment, by way of probation, as far as an ordinance of parliament could make it; for the preamble sets forth, "that if upon trial it was not found acceptable, it should be reversed or amended. It declares farther, that the two houses found it very difficult to make their new settlement agree with the laws and government of the kingdom; that therefore it could not be expected, that a present rule in every particular should be settled at once, but that there will be need of supplements and additions, and perhaps alterations, as experience shall bring to light the necessity thereof."

The parliament apprehended they had now established the plan of the Presbyterian discipline, though it proved not to the satisfaction of any one party of Christians; so hard is it to make a good settlement when men dig up all at once old foundations. The Presbyterian hierarchy was as narrow as the prelatical: and as it did not allow a liberty of conscience, claiming a civil as well

\* Rushworth, p. 226.

as ecclesiastical authority over men's persons and properties, it was equally, if not more, insufferable. Bishop Kennet observes, that the settling presbytery was supported by the fear and love of the Scots army, and that when they were gone home it was better managed by the English army, who were for independency and a principle of toleration; but as things stood nobody was pleased; the Episcopalians and Independents were excluded; and because the parliament would not give the several presbyteries an absolute power over their communicants, but reserved the last appeal to themselves, neither the Scots nor English Presbyterians would accept it.

When the scheme was laid before the Scots parliament and general assembly, as a plan of uniformity between the two nations, they insisted upon the following amendments:—

(1.) "That no godly minister be excluded from being a member of classical, provincial, or national assemblies.

(2.) "That the ordinary time for the meeting of the national assembly may be fixed; with a reserve of power to the parliament to convene them when they please, and a liberty to the church to meet oftener on necessary occasions.

(3.) "That the congregational eldership may have power to judge in cases of scandal not expressed. This they conceive cannot be construed lodging an arbitrary power in the church; whereas on the other hand the appointing such provincial commissioners as are settled in the ordinance, will occasion disputes, create a disconformity between this and other churches, and is a mixture in church-government altogether without precedent. This business therefore they conceive may be better managed by assemblies of ministers and ruling elders.

(4.) "That the ordinance for ordination of ministers may be perpetual.

(5.) "The manner of subjecting church-assemblies to the control and decision of parliament, being very liable to mistakes; the exemption likewise of persons of distinction from ecclesiastical censures; and the administering the sacrament to some persons, against the conscience of the ministry and elderships; these and some other particulars, being more than they can admit, they desire may be altered to general satisfaction.

(6.) "As to the articles relating to the perpetual officers of the church, with their respective functions; the order and power of church-assemblies; the directions for public repentance or penance; the rules for excommunication and absolution\*;" all these they desire may be fixed and settled pursuant to the covenant, and with the joint advice of the divines of both kingdoms [i.e. the assembly at Westminster] long since offered to both houses.

After the delivery of these papers by the Scots commissioners,

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\* Rushworth, p. 253.



and before the houses had returned an answer, they were published with a preface by a private hand, which provoked the houses to such a degree, that, April 14, they voted it to be burnt by the hands of the common hangman, which was done accordingly. April 17, the commons published their answer to the commissioners' papers, in which they declare to the world, "that their real intentions are to settle religion according to the covenant, and to maintain the ancient and fundamental government of this kingdom. They think it strange that any sober and modest men should imagine, they are unwilling to settle any government in the church, after they have declared so fully for the Presbyterian; have taken so much pains for the settling it; have passed most of the particulars brought to them by the assembly of divines, without any material alteration, save in the point of commissioners; and have published so many ordinances for putting the same in execution; only because they cannot consent to the granting an arbitrary and unlimited power and jurisdiction to near ten thousand judicatories to be erected within this kingdom, and this demanded in such a way as is not consistent with the fundamental laws and government of the same, and by necessary consequence excluding the parliament of England from the exercise of all ecclesiastical jurisdiction. This, say they, has been the great cause that church-government has not been long since settled; and we have the more reason not to part with this power out of the hands of the civil magistrate, since the experience of all ages will manifest, that the reformation and purity of religion, and the preservation and protection of the people of God in this kingdom, have, under God, been owing to the parliament's exercise of this power. If then the minds of any are disturbed for want of the present settling of church-government, let them apply to those [ministers] who, having sufficient power and direction from the houses on that behalf, have not as yet put the same in execution."

The English Presbyterians, having resolved to stand and fall with the Scots, refused peremptorily to comply with the ordinance, relying upon the assistance and support of that nation. Mr. Marshal stood up in the assembly, March 20, and said, that since an ordinance of parliament for church-government was now published, and speedily to be put in execution; and since there were some things in that ordinance which lay very hard upon his conscience, and upon the consciences of many of his brethren (though he blessed God for the zeal of the two houses in settling the government of the church thus far), yet being much pressed in spirit with some things contained therein, he moved, that a committee might be appointed to examine what things in the ordinance were contrary to their consciences, and to prepare a petition to present them to the two houses\*.

A petition was accordingly drawn up, and presented March

\* MS. *pence me*, sess. 608.

23, by the whole assembly, with Mr. Marshal at their head. In this petition they assert the divine right of the Presbyterian government, and complain of a clause in the late ordinance, which establishes an appeal from the censures of the church to a committee of parliament. It was a sanguine and daring attempt of these divines, who were called together only for their advice, to examine and censure the ordinances of parliament, and dispute in this manner with their superiors; the commons, alarmed at this petition, appointed a committee to take into consideration the matter and manner of it, who, after some time, reported it as their opinion, that the assembly of divines in their late petition had broken the privileges of parliament, and were guilty of a premunire; and whereas they insisted so peremptorily on the *jus divinum* of the Presbyterian government, the committee had drawn up certain queries, which they desired the assembly might resolve for their satisfaction; the house agreed to the report of the committee, and on the 30th of April sent sir John Evelin, Mr. Nathaniel Fiennes, and Mr. Browne, to the assembly, to acquaint them with their resolutions. These gentlemen set before them their rash and imprudent conduct, and in several speeches shewed wherein they had exceeded their province, which was to advise the houses in such points as they should lay before them, but not to dictate to those to whom they owed their being an assembly. Then they read the votes above mentioned, and delivered in the following questions, with the orders of the house thereupon:—

*Questions propounded to the assembly of divines by the house of commons, touching the point of jus divinum in the matters of church-government.*

1. "Whether the congregational and presbyterial elderships appointed by ordinance of parliament, or any other congregational or presbyterial elderships, are *jure divino*, and by the will and appointment of Jesus Christ? and whether any particular church-government be *jure divino*? and, what that government is?"
2. "Whether all the members of the said elderships, as members thereof, or which of them, are *jure divino*, and by the will and appointment of Jesus Christ?"
3. "Whether the classical, provincial, and national assemblies, all or any of them, and which of them, are *jure divino*, and by the will and appointment of Jesus Christ?"
4. "Whether appeals from congregational elderships to classical, provincial, and national assemblies, or any of them, and to which of them, are *jure divino*, and by the will and appointment of Jesus Christ? and whether their powers upon such appeals are *jure divino*, and by the will and appointment of Jesus Christ?"
5. "Whether oecumenical assemblies are *jure divino*? and whether there be appeals from any of the former assemblies to the

\* Rushworth, p. 260.



said oecumenical *jure divino*, and by the will and appointment of Jesus Christ?

6. "Whether by the word of God, the power of judging and declaring what are such notorious and scandalous offences, for which persons guilty thereof are to be kept from the sacrament of the Lord's supper, and of convening before them, trying, and actually suspending from the sacrament of the Lord's supper such offenders, is either in the congregational eldership, presbytery, or in any other eldership, congregation, or persons? and whether such powers are in them only, or any of them, and in which of them, *jure divino*, and by the will and appointment of Jesus Christ?

7. "Whether there be any certain and particular rules expressed in the word of God to direct the elderships or presbyteries, congregations or persons, or any of them, in the exercise and execution of the powers aforesaid, and what are those rules?

8. "Is there any thing contained in the word of God, that the supreme magistracy in a Christian state may not judge and determine what are the aforesaid notorious and scandalous offences, and the manner of suspension for the same; and in what particulars concerning the premises is the said supreme magistracy by the word of God excluded?

9. "Whether the provision of commissioners to judge of scandals not enumerated (as they are authorised by the ordinance of parliament) be contrary to that way of government which Christ has appointed in his church? and, wherein are they so contrary?"

In the assembly's answer to these propositions the house of commons ordered the proofs from Scripture to be set down, with the several texts at large, in the express words of the same; and that every minister of the assembly, who should be present at the debate of any of these questions, should subscribe his respective name in the affirmative or negative, according as he gave his vote; and that those who dissented from the major part should set down their positive opinions, with the express texts of Scripture upon which their opinions are grounded.

It is easy to discover the masterly hands of Mr. Selden and Whitelocke in these questions; which were sent to the assembly not with any prospect of a satisfactory answer, but to employ, and, it may be, to divide them, till they saw how they were like to settle with the king. The houses were afraid of being fettered with the Scots discipline, and yet the Scots were not to be disgusted, because they had an army in the north, to whom the king had committed the custody of his person.

As soon as the assembly had heard the resolutions of the house of commons above mentioned, and the questions read, first by sir J. Evelin, and then by their scribe, they adjourned in a very great fright till next morning, in order to consult their brethren in the city, and then appointed a day of fasting and humiliation for themselves, in reference to their present circumstances, and sent letters to all the members to give their attendance. The fast was

observed within their own walls on Wednesday May 6, from nine in the morning till four in the afternoon; and committees were appointed to consider of an answer to the questions, whose report we shall consider under the next year.

In the meantime, we must go back a little, to take a view of the attempts which were making to comprehend the Independents, or dissenting brethren in the assembly within the new establishment, or at least to obtain a toleration for them\*; the parliament had ordered, September 13, 1644, that the "committee of lords and commons appointed to treat with the Scots commissioners, and the committee of divines, do take into consideration the differences of the opinions of the members of the assembly in point of church-government, and endeavour a union if possible; and if that cannot be accomplished, endeavour to find out some way how far tender consciences, who cannot in all things submit to the same rule, may be borne with, according to the word of God, and consistent with the public peace." This was called the grand committee of accommodation, which met, the first time, September 20, and chose a sub-committee of six divines of the assembly, to consider the points of difference, and to prepare materials for the consideration of the grand committee: the names of these divines were, the reverend Mr. Marshal, Mr. Herle, Mr. Vines, Dr. Temple, Mr. Goodwin, and Mr. Nye, who, after several consultations among themselves, delivered to the committee certain propositions [October 15, 1644], which were read by Mr. Vines, their chairman: the Independents would have stated the points in variance between the two parties, and endeavoured a compromise while the discipline of the church was depending; but the Presbyterians insisted, that the new form of government should first pass into a law as a standard, before the exceptions of the Independents be considered; upon which they were adjourned by order of the house of commons, till the affair should be determined in the assembly, who agreed April 4, 1645, that the brethren who had entered their dissent against the Presbyterian government should be a committee to bring in the whole frame of their government in a body, with their grounds and reasons†. The Independents desired liberty to bring in their objections by parts, as the Presbyterians had done their advices; but this not being admitted, they desired time to perfect their plan before any other scheme passed into a law; but the Presbyterians, without any regard to the compromise, by the assistance of their Scots friends, pushed the affair to a conclusion in parliament; upon which the Independents laid aside their own model, and published a remonstrance, complaining of the artful conduct of the assembly, and that the discipline of the church being fixed, it was too late to think any more of a comprehension. The house of commons having seen their mistake, resumed this affair with their own hands, and by an order dated November 6,

\* Papers for Accommodation, p. 1.

† Remonstrance, p. 3.



1645, revived the committee of accommodation, which besides the Scots commissioners, consisted of the following peers, viz.

Earl of Northumberland,	Lord Visc. Say and Seale,	Lord Howard.
Earl of Manchester,	Lord Wharton,	

These were to be met by the following members of the assembly, viz.

Dr. Burgess,	Dr. Hoyle,	Dr. Temple,	Dr. Smith,
Mr. Marshal,	Mr. White,	Mr. Palmer,	Mr. Seaman,
Mr. Herle,	Mr. Vines,	Mr. Tuckney,	Mr. Newcomen,
Mr. Reynolds,	Mr. Hill,	Mr. Arrowsmith,	Mr. Young;

with the dissenting brethren of the assembly,

Mr. T. Goodwin,	Mr. Nye,	Mr. Bridge,
Mr. Simpson,	Mr. Burroughs,	Mr. Drury.

The committee met in the Jerusalem-chamber November 17, and would have entered upon a scheme for comprehension, but the Independents moved only for an indulgence or toleration, observing, that, as they had already moved in the assembly and elsewhere, that their scheme of government might be debated before the Presbyterian had passed into a law, and for this purpose had offered to prepare a complete model, if they might have been indulged a few days\*, and that having been overruled, and another form of government settled; they apprehended themselves shut out from the establishment, and precluded from any farther attempts toward a union or comprehension; but still they were willing to enter upon the second part of the parliament's order, which was to consider, how far tender consciences, who cannot in all things submit to the established rule, may be indulged, consistent with the word of God and the public peace. Accordingly in their next meeting, December 4, they offered the following proposals:

Taking for granted that both sides shall agree in one confession of faith, they humbly crave,

1. That their congregations may have the power of ordination within themselves.

2. That they may not be brought under the power of classes, nor forced to communicate in those parish-churches where they dwell, but that they may have liberty to join with such congregations as they prefer, and that such congregations may have power of all church censures within themselves, subject only to parliament; and be as so many exempt or privileged places.

To the preamble the Presbyterians replied, that only such as agreed to their confession of faith and Directory should have the benefit of the forbearance to be agreed on, with which the committee concurred; but the Independents would admit only of the affirmative, that such as agree with them should be tolerated; and would not consent to the negative, so as to set bounds or limits of forbearance to tender consciences, nor make such an agreement a necessary qualification for receiving the sacrament†.

\* Papers for Accommodation, p. 14. 24.

† Ibid. p. 18, 19, 26, 27.

To the request of the Independents, of being exempted from the jurisdiction of their classes, and having a liberty of erecting separate congregations, the Presbyterians replied,

1. That this implied a total separation from the established rule.

2. The lawfulness of gathering churches out of other true churches.

3. That the parliament would then destroy what they had set up.

4. That the members of Independent churches would then have greater privilege than those of the establishment.

5. That this would countenance a perpetual schism. And,

6. Introduce all manner of confusion in families\*.

They therefore proposed, that such as, after conference with their parish-minister, were not satisfied with the establishment, should not be compelled to communicate in the Lord's supper, nor be liable to censures from classes or synods, provided they joined with the parish-congregation where they lived, and were under the government of it in other respects.

The Independents replied, that they did not intend a total separation, but should agree with their brethren in the most essential points; as in worshipping according to the Directory, in choosing the same officers, pastors, teachers, ruling elders, with the same qualifications as in the rule. That they should require the same qualifications in their members as the assembly had advised, that is, visible saints, professing faith in Christ, and obedience to the rules of faith and life taught by Christ and his apostles †; that they should practise the same church-censures, being accountable for their conduct to their civil superiors. They would also hold occasional communion with the Presbyterian churches, in baptism and the Lord's supper, communicating occasionally with them, and receiving their members to communion as occasion required. Their ministers should preach for each other, and in cases of difficulty they would call in their assistance and advice; and when an ordination falls out, they would desire the presence and approbation of their ministers with their own. Now surely, say they, this does not imply a total separation; but if in some things men cannot comply with the established rule without sin, we think such persons ought not to live without communicating in the Lord's supper all their days, rather than gather into churches where they may enjoy all ordinances without offence to their consciences—nor ought such separation to be accounted schism, which is a name of reproach we desire not to be branded with, when we are willing to maintain Christian love and communion with our neighbours, as far as our consciences will permit‡.—They add farther, that if the state is pleased to grant them this liberty, they will refer themselves to the wisdom of the legislature to consider

\* Papers of Accommodation, p. 20, 21.

† Ibid. p. 29, 30.

‡ Ibid. p. 35, 36.



of limiting their congregations to a certain number, to be as so many receptacles for pious persons of tender consciences\*.

The Presbyterians in their next reply, December 23, after having blamed the Independents for not going upon a comprehension, argue against the lawfulness of a separation after this manner: "that if a pretence of conscience be a sufficient ground of separation, men may gather impure and corrupt churches out of purer, because upon the dictates of an erring conscience they may disallow that which is pure, and set up that which is agreeable to their erring consciences; and we very much doubt, say they, whether tenderness of conscience in doubtful points will justify a separation; it may oblige men to forbear communion, but not to set up a contrary practice. If a church impose any thing that is sinful, we must forbear to comply, yet without separation, as was the practice of the Puritans in the late times†."—They then argue, from the concessions of the Independents, that because they agree with them in so many material points, therefore they should not separate. "If (say they) you can communicate with our church occasionally, once, or a second and third time without sin, we know no reason why you may not do it constantly, and then separation will be needless—as for such a toleration as our brethren desire, we apprehend it will open a door to all sects; and though the Independents now plead for it, their brethren in New England do not allow it‡."

As to the charge of schism, they admit, that difference in judgment in some particular points is not schism; nor does an in conformity to some things enjoined deserve that name; but our brethren desire farther to set up separate communions, which is a manifest rupture of our societies into others, and is therefore a schism in the body§. This is setting up altar against altar, allowing our churches (as the Independents do) to be true churches; for St. Austin says, "*Schismaticos facit non diversa fides, sed communionis disrupta societas.*" And we conceive, it is the cause of the separation that makes schism, and not the separation itself; if then the cause of our brethren's separation be not sufficient, by what other name can it be called? To all which they add, that this indulgence, if granted, will be the mother of all contentions, strifes, heresies, and confusions, in the church; and contrary to their covenant, which obliges them to endeavour to their utmost a uniformity.

When the committee met the next time, February 2, 1645—6, the Independents replied chiefly to the point of uniformity, and argued, that it was not necessary to the peace of the churches; and ought not to extend beyond people's light and measure of understanding, according to the apostolical canon, "As far as we have attained let us walk by the same rule," Phil. iii. 15]. As for a mere exemption from the censures of the classes, they declared

\* Papers of Accommodation, p. 40.

§ Ibid. p. 63, 73, 74.

† Ibid. p. 51.

] Ibid. p. 86.

‡ Ibid. p. 56.

frankly they could not acquiesce in it, because it would deprive them of the enjoyment of the Lord's supper; and that it was very hard to urge, that because they came so near the brethren, therefore they should be obliged to a total and constant conformity.

The committee met the last time, March 9, when the sub-committee of Presbyterian divines answered the last paper of the Independents, maintaining all their former positions, and concluding in this strange and wonderful manner; "that whereas their brethren say, that uniformity ought to be urged no farther than is agreeable to all men's consciences, and to their edification; it seems to them, as if their brethren not only desired liberty of conscience for themselves, but for all men, and would have us think, that we are bound by our covenant to bring the churches in the three kingdoms to no nearer a conjunction and uniformity than is consistent with the liberty of all men's consciences; which, whether it be the sense of the covenant, we leave with the honourable committee \*."

Hereupon the reverend Mr. Jer. Burroughs, a divine of great candour and moderation, declared in the name of the Independents, "that if their congregations might not be exempted from that coercive power of the classes; if they might not have liberty to govern themselves in their own way, as long as they behaved peaceably towards the civil magistrate; they were resolved to suffer, or go to some other place of the world, where they might enjoy their liberty. But while men think there is no way of peace but by forcing all to be of the same mind (says he), while they think the civil sword is an ordinance of God to determine all controversies of divinity, and that it must needs be attended with fines and imprisonment to the disobedient; while they apprehend there is no medium between a strict uniformity, and a general confusion of all things; while these sentiments prevail, there must be a base subjection of men's consciences to slavery, a suppression of much truth, and great disturbances in the Christian world."

Thus ended the last committee of lords and commons, and assembly of divines, for accommodation, which adjourned to a certain day, but being then diverted by other affairs never met again. Little did the Presbyterian divines imagine, that in less than twenty years all their artillery would be turned against themselves; that they should be excluded the establishment by an act of prelatical uniformity; that they should be reduced to the necessity of pleading for that indulgence which they now denied their brethren; and esteem it their duty to gather churches for separate worship out of others, which they allowed to be true ones. If the leading Presbyterians in the assembly and city had carried it with temper towards the Independents, on the foot of a limited toleration, they had, in all likelihood, prevented the disputes between the army and parliament, which were the ruin of both; they might then have saved the constitution, and made

\* Papers for Accommodation, p. 123.



their own terms with the king, who was now their prisoner; but they were enamoured with the charms of covenant-uniformity, and the divine right of their presbytery, which, after all, the parliament would not admit in its full extent. Mr. Baxter, who was no friend of the Independents, says, "that the Presbyterian ministers were so little sensible of their own infirmities, that they would not agree to tolerate those who were not only tolerable, but worthy instruments and members in the churches, prudent men, who were for union in things necessary, for liberty in things unnecessary, and for charity in all; but they could not be heard\*."

Great was the resort of the city-divines to Sion college at this time, where there was a kind of synod every Monday, to consult proper methods to propagate religion, and support the assembly at Westminster in their opposition to the toleration of sectaries; for this purpose they wrote them a letter, dated January 15, 1645-6, in which they recite the arguments of the committee, and beseech them to oppose with all their might the great Diana of the Independents†, and not suffer their new establishment to be strangled in the birth by a lawless toleration.

The whole Scots nation was also commanded into the service; the parliament of that kingdom wrote to the two houses at Westminster, February 3, telling them, that "it was expected the honourable houses would add the civil sanction to what the pious and learned assembly have advised; and I am commanded by the parliament of this kingdom (says the president) to demand it, and I do in their names demand it. And the parliament of this kingdom is persuaded, that the piety and wisdom of the honourable houses will never admit toleration of any sects or schisms contrary to our solemn league and covenant‡." At the same time they appealed to the people, and published a declaration against toleration of sectaries and liberty of conscience; in which,

\* Baxter's Life, p. 103.

† Their Diana was toleration, of which the ministers at Sion-college expressed their detestation and abhorrence; and the design of their letter was to shew the unreasonableness, the sin, and the mischievous consequences, of it. "Not (said they) that we can harbour the least jealousy of your zeal, fidelity, or industry, in the opposing and extirpating of such a root of gall and bitterness as toleration is, and will be, both in present and future ages." Another instance of the same bitter spirit appeared in a piece published by the ministers and elders of London, met together in a provincial assembly November 2, 1749, entitled "A vindication of the presbyterial government and ministry:" in which they represent the doctrine of universal toleration, as contrary to godliness, opening a door to libertinism and profaneness, and a tenet to be rejected as soul poison. The ministers of Lancashire published a paper in 1648, expressing their harmonious consent with their brethren in London; and remonstrate against toleration, as putting a cup of poison into the hand of a child, and a sword into that of a madman; as letting loose madmen with firebrands in their hands, and appointing a city of refuge in men's consciences, for the devil to fly to; and instead of providing for tender consciences, taking away all conscience. In the same year, another paper was published in Warwickshire by forty-three ministers, breathing the same spirit, and expressing the like sentiments. Crosby's History of the English Baptists, vol. 1. p. 188. 192.—Ed.

‡ Rushworth, p. 234.

after having taken notice of their great services, they observe, that there is a party in England who are endeavouring to supplant the true religion by pleading for liberty of conscience, which (say they) is the nourisher of all heresies and schisms. They then declare against all such notions as are inconsistent with the truth of religion, and against opening a door to licentiousness, which, to the utmost of their power, they will endeavour to oppose; and as they have all entered into one covenant, so to the last man in the kingdom they will go on in the preservation of it. And however the parliament of England may determine in point of toleration and liberty of conscience, they are resolved not to make the least start, but to live and die, for the glory of God, in the entire preservation of the truth.

Most of the sermons before the house of commons, at their monthly fasts, spoke the language of severity, and called upon the magistrate to draw his sword against the sectaries. The press teemed with pamphlets of the same nature; Mr. Prynne against J. Goodwin says, that if the parliament and synod establish presbytery, the Independents and all others are bound to submit, under pain of obstinacy. Another writes, that to let men serve God according to the persuasion of their own consciences, is to cast out one devil that seven worse may enter.

But the cause of liberty was not destitute of advocates at this time; the Independents pleaded for a toleration so far as to include themselves and the sober Anabaptists, but did not put the controversy on the most generous foundation; they were for tolerating all who agreed in the fundamentals of Christianity, but when they came to enumerate fundamentals they were sadly embarrassed, as all must be who plead the cause of liberty, and yet do not place the religious and civil rights of mankind on a separate basis: a man may be an orthodox believer, and yet deserve death as a traitor to his king and country; and on the other hand, a heretic or errant nonconformist to the established religion may be a loyal and dutiful subject, and deserve the highest preferment his prince can bestow.

The letter of the city-divines to the assembly received a quick reply from a writer of more generous principles, who complains, "that the Presbyterians, not content with their own freedom and liberty, nor with having their form of government made the national establishment, were grasping at as much power as the prelates before them had usurped; for this purpose they had obtained the privilege of licensing the press, that nothing might be written against them but what they should please to approve\*"; they were continually soliciting the parliament to establish their church-government, which they called the government of Christ, with a coercive power; they were always busy in framing petitions, and engaging the magistrates of the city to present them to

\* Vol. Pamphlets, No. 52.



the houses; and not content with this, they were now moving the assembly of divines, of whom themselves are a considerable part, to become the patrons of oppression." Our author maintains, that, "liberty of conscience is the natural right of every man, though of all parties of men those deserve least the countenance of the state, who would persecute others, if it were in their power, because they are enemies of the society in which they live. He that will look back on past times, and examine into the true causes of the subversion and devastation of states and countries, will find it owing to the tyranny of princes, and the persecution of priests. All governments therefore which understand their true interests, will endeavour to suppress in every sect, or division of men, whether Papist, Episcopal, Presbyterian, Independent, or Anabaptist, the spirit of dominion and persecution, which is the disturber of mankind, and the offspring of the devil. But the ministers say, if we tolerate one sect we must tolerate all; which our author admits, and adds, that they have as good a right to the liberty of their consciences as to their clothes or estates; no opinions or sentiments of religion being cognizable by the magistrate, any farther than they are inconsistent with the peace of the civil government. The way to put an end to diversity of opinions is not by fines and imprisonments; can Bedlam, or the Fleet, open men's understandings, and reduce them from error? No certainly, nothing but sound reason and argument can do it, which, it is to be feared, they are not furnished with, who have recourse to any other weapons. Schism and heresy are to be rooted out, not by oppression, but by reason and debate; by the sword of the Spirit, not of the flesh; by argument, not by blows, to which men have recourse when they are beat out of the other. Schism and heresy are words of terror thrown upon the adversary by all parties of men; and perhaps, there may need an infallible judge to determine where the schism lies, before we venture upon extraordinary methods to extirpate it." He adds, "that persecution will breed more confusion and disturbance than toleration; and that their solemn league and covenant ought to bind them no farther than it is consistent with the word of God. Now, that toleration, or liberty of conscience, is the doctrine of Scripture, is evident, 1. From the parable of the tares and wheat growing together till the harvest. 2. From the apostle's direction, "Let every man be persuaded in his own mind:" 3. That "of whatsoever is not faith, is sin." 4. From our Saviour's golden rule, "Whatsoever ye would that men should do to you, that do ye to them."

This pamphlet was answered by another, entitled, *Anti-Toleration*, in which the author endeavours to vindicate the most unbounded licence of persecution; but neither the assembly, nor the city-divines, nor the whole Scots nation, could prevail with the parliament to deliver the sword into their hands. The high behaviour of the Presbyterians lost them the affections of great numbers of people, who began to discover that the contention

between them and the prelates was not for liberty but power, and that all the spiritual advantage they were like to reap from the war was to shift hands, and instead of episcopal government to submit to the yoke of presbyterial uniformity.

Lord Clarendon admits\*, that the king endeavoured to make his advantage of these divisions, by courting the Independents, and promising some of them very valuable compensations for any services they should do him; intimating, that it was impossible for them to expect relief in their scruples from persons who pretended they were erecting the kingdom of Christ; but though the Independents were enemies to the Presbyterian discipline, they had no confidence in the king's promises. Mr. Whitelocke† agrees with the noble historian, that the king was watchful to take advantage of these divisions, and commanded one Ogle to write to Mr. Tho. Goodwin, and Phil. Nye, two of the Independent ministers, and make them large overtures, if they would oppose the Presbyterian government intended to be imposed upon England by the Scots; but these two gentlemen very honestly acquainted their friends with the proposal, which put an end to the correspondence; all which might have convinced the Presbyterians of the necessity of coming to some terms with the dissenters; but the king's affairs were so low, that they were under no apprehensions of disturbance from that quarter at present.

The assembly perfected nothing farther this year; however, complaint being made of the obsolete version of the Psalms by Sternhold and Hopkins, the parliament desired them to recommend some other to be used in churches; accordingly they read over Mr. Rouse's version, and after several amendments, sent it up to the house November 14, 1645, with the following recommendation: "Whereas the honourable house of commons, by an order bearing date November 20, 1643, have recommended the Psalms published by Mr. Rouse to the consideration of the assembly of divines, the assembly has caused them to be carefully perused, and as they are now altered and amended do approve them, and humbly conceive they may be useful and profitable to the church, if they be permitted to be publicly sung‡;" accordingly they were authorized by the houses. Care was also taken to prevent the importation of incorrect Bibles printed in Holland§.

To return to the proceedings of parliament. The committee for plundered ministers having reported to the house of commons, January 28, 1645, certain blasphemies of Paul Best, who denied the holy Trinity, the house ordered an ordinance to be brought in [March 28], to punish him with death||; but several divines being appointed to confer with him, in order to convince him of his error, he confessed his belief of that doctrine in general terms before he was brought to his trial, and that he hoped to be saved thereby, but persisted in denying the personality, as a Jesuitical

\* Vol. 2. p. 746.

† Ibid. p. 76.

‡ MS. sess. 535.

§ Parl. Chr. p. 319.

|| Whitelocke, p. 196.



tenet; upon this confession his trial was put off, and he was at length discharged.

The government of the church being now changed into a Presbyterian form, and the war almost at an end, the parliament resolved to apply the revenues of the cathedrals to other public uses, and accordingly, November 18, it was ordained, "That whereas the present dean and prebendaries of Westminster have deserted their charge, and were become delinquents to the parliament, they did therefore ordain, that the earl of Northumberland, with about ten other lords, and twenty-two commoners, should be a committee: and that any person or more of them should have authority to order, direct, and dispose, of the rents, issues, and profits, belonging to the college, or collegiate-church, and to do and execute all other acts that did any way concern either of them\*." They ordained farther, "that the dean, prebendaries, and all other officers belonging either to the college or church, who had absented themselves, and were become delinquents, or had not taken the covenant, should be suspended from their several offices and palaces, and from all manner of benefit and profit arising from them, or from the arrears of them, Mr. Osbaldeston only excepted.

When the cathedral of Hereford fell into the parliament's hands, the dignitaries of that church were dispossessed, and their lands and revenues seized into the hands of the committee of that county. The dignitaries of the cathedral churches of Winchester and Carlisle were served in the same manner the latter end of this year, when the whole frame of the hierarchy was dissolved.

The parliament, at the request of the assembly of divines, gave some marks of their favour to the university of Cambridge, which was reduced to such necessitous circumstances, by reason of the failure of their college-rents, that they could not support their students; it was therefore ordained, April 11, 1645, "that nothing contained in any ordinance of parliament concerning levying or paying of taxes should extend to the university of Cambridge, or any of the colleges or halls within the said university, nor to any of the rents or revenues belonging to the said university, or colleges, or any of them, nor to charge any master, fellow, or scholar, of any of the said colleges, nor any reader, officer, or minister, of the said university or colleges, for any stipend, wages, or profit, arising or growing due to them, in respect of their places and employments in the said university†." They likewise confirmed all their ancient rights and privileges, and ordered the differences between the university and town to be determined according to law. On the same day the ordinance for regulating the university, and removing scandalous ministers in the associated counties by the earl of Manchester, mentioned in the beginning of the last year, was revived and continued.

\* Husband's Collections, p. 758.

† Ibid. p. 636, 637.

On the 17th of April this year died Dr. Dan, Featly; he was born at Charlton in Oxfordshire, 1581, and educated at Corpus-Christi college, of which he was fellow; upon his leaving the university he went chaplain to sir Thomas Symmonds, the king's ambassador to the French court, where he gained reputation by his sermons and disputations with the Papists\*. When he returned home he became domestic chaplain to archbishop Abbot, and was presented by him to the rectory of Lambeth, and in the year 1627, to that of Acton. In 1643, he was nominated of the assembly of divines, and sat among them till his correspondence with the court was discovered, by an intercepted letter to archbishop Usher relating to their proceedings; upon which he was committed to lord Peters's house for a spy, both his livings were sequestered, and himself expelled the assembly†. The doctor was a thorough Calvinist, but very zealous for the hierarchy of the church; so that when in prison he published the following challenge:

"Whereas I am certainly informed, that divers lecturers and preachers in London do in their pulpits, in a most insolent manner, demand where they are now, that dare stand up in defence of the church-hierarchy, or Book of Common Prayer, or any ways oppose or impugn the new-intended reformation both in doctrine and discipline of the church of England; I do, and will maintain, by disputation or writing, against any of them, these three conclusions:

1. "That the articles of religion agreed upon in the year 1562, by both houses of convocation, and ratified by queen Elizabeth,

\* There was also a celebrated piece from his pen, levelled against the Baptists. It originated from a disputation which he held with four of that persuasion in Southwark, in the month of October 1641. About two years afterward he published an account of this debate in a book entitled, "The Dippers dipped; or, the Anabaptists ducked, and plunged over head and ears, at a disputation in Southwark." This title savoured of the taste and spirit of the times, and is no favourable omen of the strain of the work. In his dedication, he tells the reader, "that he could hardly dip his pen in any thing but gall." The doctor wrote indeed under an irritation of spirits from being deprived of two livings, which he enjoyed before the unhappy differences between the king and parliament. He had the character, however, of an acute as well as vehement disputant. He had for his fellow-prisoner Mr. Henry Denne, educated at the university of Cambridge, and ordained in 1630, by the bishop of St. David, who signalized himself by his preaching, writing, disputing, and suffering, for the baptistical opinion. As soon as he came into prison, Dr. Featly's book was laid before him in his apartment; when he had read it, he offered to dispute with the author on the arguments of it. The challenge was accepted, and they debated on the first ten arguments, when the doctor declined proceeding, urging that it was not safe for them to dispute on the subject without licence from government; but he bid Mr. Denne write, and said he would defend his own arguments. Mr. Denne, on this, drew up a learned and ingenious answer; but it does not appear that the doctor ever replied. He was esteemed one of the greatest ornaments of the Corpus-Christi college: and acquitted himself with great applause in a funeral oration on the death of its celebrated master Dr. Rainolds; and in a public exercise with which he entertained the archbishop of Spalato. Unwholesome air, bad diet, and worse treatment, hastened his death. Crosby's History of the English Baptists, vol. 1. p. 152 and 303; and Granger's History of England, vol. 2. p. 176, 177, 8vo.—Ed.

† See before, chap. 2.



need no alteration at all, but only an orthodox explication of some ambiguous phrases, and a vindication against false aspersions.

2. "That the discipline of the church of England, established by many laws and acts of parliament, that is, the government by bishops (removing all innovations and abuses in the execution thereof) is agreeable to God's word, and a truly ancient and apostolical institution.

3. "That there ought to be a set form of public prayer; and that the Book of Common Prayer (the calendar being reformed in point of apocryphal saints and chapters, some rubrics explained, and some expressions revised, and the whole correctly printed with the Psalms, chapters, and allegations, out of the Old and New Testament, according to the last translation) is the most complete, perfect, and exact liturgy now extant in the Christian world."

The doctor was a little man, of warm passions, and exceedingly inflamed against the parliament for his imprisonment, as appears by his last prayer a few hours before his death, which happened at Chelsea, whither he had been removed for the benefit of the air, in the sixty-fifth year of his age. His prayer had these words in it,—“Lord, strike through the reins of them that rise against the church and king, and let them be as chaff before the wind, and as stubble before the fire; let them be scattered as partridges on the mountains, and let the breath of the Lord consume them; but upon our gracious sovereign and his posterity let the crown flourish.”—A prayer not formed after the model of St. Stephen's, or that of our blessed Saviour upon the cross.

The writer of the life of archbishop Usher says, the doctor was both orthodox and loyal; but lord Clarendon and Dr. Heylin cannot forgive his sitting in the assembly, and being a witness against archbishop Laud at his trial. “Whether he sat in the assembly (says Heylin) to shew his parts, or to head a party, or out of his old love to Calvinism, may best be gathered from some speeches which he made and printed; but he was there in heart before, and therefore might afford them his body now, though possibly he might be excused from taking the covenant as others did\*.”

Soon after died famous old Mr. John Dod, whose pious and remarkable sayings are remembered to this day; he was born at Shottlidge in Cheshire in the year 1550, and educated in Jesus-college, Cambridge, of which he was fellow†. At thirty years of age he removed to Hanwell in Oxfordshire, where he continued preaching twice on the Lord's day, and once on the week-days for above twenty years; at the end of which he was suspended for nonconformity by Dr. Bridges, bishop of the diocese. Being driven from Hanwell he removed to Canons-Ashby in Northamptonshire, and lived quietly several years, till upon complaint

\*ist. Presb. p. 464.

† Clarke's Martyrol. p. 168 of the annexed lives.

made by bishop Neal to king James he commanded archbishop Abbot to silence him. After the death of king James, Mr. Dod was allowed to preach publicly again, and settled at Faustly in the same county, where he remained till his death. He was a most humble, pious, and devout man, and universally beloved; an excellent Hebrician, a plain, practical, fervent preacher, a noted casuist, and charitable almost to a fault; his conversation was heavenly; but being a noted Puritan, though he never meddled with state-affairs, he was severely used by the king's cavaliers, who plundered his house, and would have taken away his very sheets, if the good old man, hardly able to rise out of his chair, had not put them under him for a cushion; all which he endured patiently, calling to mind one of his own maxims\*, Sanctified afflictions are spiritual promotions†. He died of the strangury in the ninety-sixth year of his age, and lies buried in his parish-church at Faustly.

## CHAPTER VII.

THE CONCLUSION OF THE FIRST CIVIL WAR, BY THE KING'S SURRENDERING HIS ROYAL PERSON TO THE SCOTS. PETITIONS OF THE ASSEMBLY AND CITY DIVINES AGAINST TOLERATION, AND FOR THE DIVINE RIGHT OF THE PRESBYTERIAL GOVERNMENT, WHICH IS ERECTED IN LONDON. DEBATES BETWEEN THE KING, MR. HENDERSON, AND THE SCOTS COMMISSIONERS. HIS MAJESTY IS REMOVED FROM NEWCASTLE TO HOLMBY-HOUSE. FARTHER ACCOUNT OF THE SECTARIES.

THE king being returned to Oxford, November 6, 1646, after an unfortunate campaign, in which all his armies were beaten out of the field, and dispersed, had no other remedy left but to make peace with his subjects, which his friends in London encouraged him to expect he might be able to accomplish, by the help of some advantage from the growing divisions among the members, the majority of whom were inclined to an accommodation, provided the king would consent to abolish episcopacy, and offer sufficient assurances to govern for the future according to law‡. But though his majesty was willing to yield a little to the times, with regard to the security of the civil government, nothing could prevail with him to give up the church. Besides, as the king's circumstances obliged him to recede, the parliament as conquerors

\* His name has derived celebrity from his maxims, usually called Dod's Sayings: they having been printed in various forms; many of them, on two sheets of paper, are still to be seen pasted on the walls of cottages. "An old woman in my neighbourhood told me," says Mr. Granger, "that she should have gone distracted for the loss of her husband, if she had been without Mr. Dod's Sayings in the house." *History of England*, vol. 1, p. 370, 8vo.—ED.

† Fuller's Ch. Hist. p. 220.

‡ Rapin, p. 320.



advanced in their demands. In the month of December, his majesty sent several messages to the parliament, to obtain a personal treaty at London, upon the public faith, for himself and a certain number of his friends, residing there with safety and honour forty days; but the parliament would by no means trust their enemies within their own bowels, and therefore insisted peremptorily upon his signing the bills they were preparing to send him, as a preliminary to a well-grounded settlement.

The king made some concessions on his part, relating to the militia and liberty of conscience, but very far short of the demand of the two houses, who were so persuaded of his art and ability in the choice of ambiguous expressions, capable of a different sense from what appeared at first sight, that they durst not venture to make use of them as the basis of a treaty\*. Thus the winter was wasted in fruitless messages between London and Oxford, while the unfortunate king spent his time musing over his papers in a most disconsolate manner, forsaken by some of his best friends, and rudely treated by others. Mr. Locke says, the usage the king met with from his followers at Oxford made it a hard but almost an even choice, to be the parliament's prisoner, or their slave. In his majesty's letter to the queen he writes, "If thou knew what a life I lead in point of conversation, I dare say thou wouldst pity me." The chief officers quarrelled, and became insupportably insolent in the royal presence; nor was the king himself without blame; for being deprived of his oracle the queen, he was like a ship in a storm without sails or rudder. Lord Clarendon† therefore draws a veil over his majesty's conduct in these words: "It is not possible to discourse of particulars with the clearness that is necessary to subject them to common understandings, without opening a door for such reflections upon the king himself, as seem to call both his wisdom and steadiness in question; as if he wanted the one to apprehend and discover, and the other to prevent, the mischiefs that were evident and impending." And yet nothing could prevail with him to submit to the times, or deal frankly with those who alone were capable of retrieving his affairs.

The king having neither money nor forces, and the queen's resources from abroad failing, his majesty could not take the field in the spring, which gave the parliament-army an easy conquest over his remaining forts and garrisons. All the west was reduced before Midsummer, by the victorious army of sir Thos. Fairfax; the city of Exeter surrendered April 9, in which one of the king's daughters, princess Henrietta, was made prisoner, but her governess the countess of Dalkeith found means afterward to convey her privately into France. Dennington-castle surrendered April 1, Barnstaple the 12th, and Woodstock the 26th; upon which it was resolved to strike the finishing blow, by besieging the king in

\* Rushworth, vol. 6. p. 215, 216.

† Vol. 4. p. 626.

his head-quarters at Oxford; upon the news of which, like a man in a fright, he left the city by night, April 27, and travelled as a servant to Dr. Hudson and Mr. Ashburnham, with his hair cut round to his ears, and a cloke-bag behind him, to the Scots army before Newark\*. His majesty surrendered himself to general Leven, May 5, who received him with respect, but sent an express immediately to the two houses, who were displeased at his majesty's conduct, apprehending it calculated to prolong the war, and occasion a difference between the two nations; which was certainly intended, as appears by the king's letter from Oxford to the duke of Ormond, in which he says, he had good security, that he and all his adherents should be safe in their persons, honours, and consciences, in the Scots army, and that they would join with him, and employ their forces to obtain a happy and well grounded peace; whereas the Scots commissioners, in their letter to the house of peers, aver, "they had given no assurance, nor made any capitulation for joining forces with the king, or combining against the two houses, or any other private or public agreement whatsoever, between the king on one part, and the kingdom of Scotland, their army, or any in their names, and having power from them, on the other part;" and they called the contrary assertion a damnable untruth; and add, "that they never expect a blessing from God any longer than they continue faithful to their covenant†." So that this must be the artifice of Montreville the French ambassador, who undertook to negotiate between the two parties, and drew the credulous and distressed king into that snare, out of which he could never escape.

His majesty surrendering his person to the Scots, and sending orders to the governors of Newark, Oxford, and all his other garrisons and forces, to surrender and disband, concluded the first civil war; upon which most of the officers, with prince Rupert and Maurice, retired beyond sea; so that by the middle of August all the king's forces and castles were in the parliament's hands; Ragland-castle being the last; which was four years wanting three days, from the setting up the royal standard at Nottingham.

Some time before the king left Oxford he had commissioned

\* Rapin, vol. 2. p. 523. Rushworth, vol. 6. p. 268. 273, 274. 303, 304.

† Dr. Grey, to confute these declarations, which Mr. Neal has brought forward, quotes several affidavits and assertions of Dr. Hudson; the substance of which is, that the Scots agreed to secure the person and honour of the king; to press him to nothing contrary to his conscience; to protect Mr. Ashburnham and himself; and if the parliament refused to restore the king, upon a message from him, to his rights and prerogatives, to declare for him, and take all his friends into their protection. But the doctor omits to observe, that Hudson spoke on the authority of the French agent, one Montreville, who negotiated the business between the king and the Scots; and who, it appears, promised to the king more than he was empowered; and was recalled and disgraced. Rapin, vol. 2. p. 523, 524. It is more easy to conceive, that Montreville exceeded his commission, as according to Hudson's confession, quoted by Dr. Grey, the Scots would not give any thing under their hands.—Ed.



the marquis of Ormond to conclude a peace with the Irish Papists, in hopes of receiving succours from thence, which gave great offence to the parliament; but though his majesty upon surrendering himself to the Scots wrote to the marquis June 11 \*, not to proceed; he ventured to put the finishing hand to the treaty, July 28, 1646, upon the following scandalous articles †, among others which surely the marquis durst not have consented to, without some private instructions from the king and queen.

1. "That the Roman Catholics of that kingdom shall be discharged from taking the oath of supremacy.

2. "That all acts of parliament made against them shall be repealed; that they be allowed the freedom of their religion, and not be debarred from any of his majesty's graces or favours.

3. "That all acts reflecting on the honour of the Roman-Catholic religion since August 7, 1641, be repealed.

4. "That all indictments, attainders, outlawries, &c. against them, or any of them, be vacated and made void.

5. "That all impediments that may hinder their sitting in parliament, or being chosen burgesses, or knights of the shire, be removed.

6. "That all incapacities imposed upon the nation be taken away, and that they have power to erect one or more inns of court in or near the city of Dublin; and that all Catholics educated there be capable of taking their degrees without the oath of supremacy.

7. "That the Roman Catholics shall be empowered to erect one or more universities, and keep free-schools for the education of their youth, any law or statute to the contrary notwithstanding.

8. "That places of command, honour, profit, and trust, shall be conferred on the Roman Catholics, without making any difference between them and Protestants, both in the army and in the civil government ‡.

9. "That an act of oblivion shall be passed in the next parliament, to extend to all the Roman Catholics and their heirs, absolving them of all treasons and offences whatsoever, and particularly of the massacre of 1641 §, so that no persons shall be impeached, troubled, or molested, for any thing done on one side or the other.

\* Lord Digby wished to have it understood, that this letter was surreptitious, or a forged one from his majesty, and most contrary to what he knew to be his free resolution and unconstrained will and pleasure. Dr. Grey.—Ed.

† Mr. Neal, as Dr. Grey observes, gives only a very concise abridgment of these articles; which were thirty in number, and, as they stand in Rushworth, take up almost twelve pages in folio. But Mr. Neal's view of some of them, though the doctor calls it curtailing them, is sufficient to shew the tenor and spirit of the whole.—Ed.

‡ Rushworth, part 4. vol. 1. p. 402.

§ But it was provided, that such barbarities, as should be agreed on by the lord-lieutenant, and the lord viscount Mountgarret, or any five or more of them, should be tried by such indifferent commissioners as they should appoint. Dr. Grey.—Ed.

10. "That the Roman Catholics shall continue in possession of all those cities, forts, garrisons, and towns, that they are possessed of, till things are come to a full settlement \*."

Was this the way to establish a good understanding between the king and his two houses? or could they believe, that his majesty meant the security of the Protestant religion, and the extirpation of Popery in England, when his general consented to such a peace in Ireland, without any marks of his sovereign's displeasure? nay, when, after a long treaty with the parliament-commissioners, he refused to deliver up the forts and garrisons into their hands, insomuch that after six weeks' attendance, they were obliged to return to their ships, and carry back the supplies they had brought for the garrisons †, having only published a declaration, that the parliament of England would take all the Protestants of Ireland into their protection, and send over an army to carry on the war against the Papists with vigour.

The king being now in the hands of the Scots, the English Presbyterians at London resumed their courage, concluding they could not fail of a full establishment of their discipline, and of bringing the parliament at Westminster to their terms of uniformity; for this purpose they framed a bold remonstrance in the name of the lord-mayor, aldermen, and common-council, and presented it to the house May 26, complaining ‡, "that the reins of discipline were let loose; that particular congregations were allowed to take up what form of divine service they pleased, and that sectaries began to swarm by virtue of a toleration granted to tender consciences. They put the parliament in mind of their covenant, which obliged them to endeavour the extirpation of Popery, prelacy, superstition, heresy, schism, profaneness, and

\* Our author having called the preceding propositions "scandalous articles," Dr. Grey appeals from his sentence to the remonstrance of the Protestant arch-bishops, bishops, and inferior clergy, of the kingdom of Ireland to the lord-lieutenant, on the 11th and 13th of August, 1646, in which they express a strong and grateful sense of obligation for the peace established among them. But it will still remain a question, whether the sentiment of these prelates and clergy were disinterested and judicious.—Ed.

† Our author incurs here the censure of Dr. Grey for not "affording us any authority in proof of this assertion." The editor confesses, that he cannot supply the omission. Dr. Grey confronts Mr. Neal with large quotations from lord Clarendon's *History of the Rebellion in Ireland*, p. 53, 54, 65, 66, 73—75. But they appear not to the point for which they are produced. The purport of them is, "that the marquis of Ormond resolved not to proceed to any conjunction with the commissioners without his majesty's express directions, for which he privately dispatched several expresses: that, in consequence of this, the commissioners, not obtaining possession of the garrisons, returned with all their supplies to their ships: that the marquis received his majesty's order not to deliver up the garrisons, if it were possible to keep them under the same entire obedience to his majesty: but should there be a necessity, to put them into the hands of the English, rather than of the Irish." The rest of the quotation describes the difficulties and distresses under which the marquis laboured, which drove him at last to make a disadvantageous agreement with the commissioners. The reader will judge, whether by these references Mr. Neal's assertions are not, instead of being confuted, established. See also Mrs. Macaulay, vol. 4. p. 250, note (†).—Ed.

‡ Vol. Pamp. no. 34.





the parliament in the cause of liberty, and praying them with managing the affairs of the kingdom according to laws, and not suffer the freeborn people of England to be upon any pretence whatsoever; nor to suffer any set to describe to them in matters of government or constitutioners will stand by them with their lives and Whitelocke says, the hands of the royalists were being beaten out of the field, resolved now to parliament, by sowing discord among their

traversed between the contenders for and endeavoured to avoid a decision, till with the king. They kept the pressing the assembly for their the *jus divinum* of presbytery they themselves were the them, when this point in such an ordinance as they appointed three committees to consideration; but the Independents took withdraw, refusing absolutely to be concerned

committee was appointed to determine, whether any church-government was *jure divino*, and to bring their proofs from Scripture. But here they stumbled at the very threshold, for the Erastians divided them, and entered their dissent, so that when the answer was laid before the assembly, it was not called the answer of the committee, but of some brethren of the committee; and when the question was put, they withdrew from the assembly, and left the high Presbyterians to themselves, who agreed, with only one dissenting voice, that Jesus Christ, as king of the church, hath himself appointed a church-government distinct from the civil magistrate. The names of those who subscribed this proposition were:

Rev. Mr. White	Rev. Mr. Woodcocke	Rev. Mr. Vines
Mr. Palmer	Mr. Carter, jun.	Mr. Seaman
Dr. Wincop	Mr. Goodwin	Mr. Chambers
Mr. Ley	Mr. Nye	Mr. Corbet
Dr. Gouge	Mr. Greenhill	Mr. Dury
Mr. Walker	Mr. Valentine	Mr. Salway
Mr. Sedgwick	Mr. Price	Mr. Hardwicke
Mr. Marshal	Dr. Smith	Mr. Langley
Mr. Whitaker	Dr. Staunton	Mr. Simpson
Mr. Newcomen	Dr. Hoyle	Mr. Conant
Mr. Spurstow	Mr. Bayly	Mr. De la March
Mr. Delmy	Mr. Taylor	Mr. Byfield
Mr. Calamy	Mr. Young	Mr. Herle
Mr. Proffet	Mr. Cawdrey	Mr. De la Place
Mr. Perne	Mr. Ash	W <sup>r</sup> . Wilison
Mr. Scudder	Mr. Gibson	Mr. Reyner
Mr. Carter, sen.	Mr. Good	Mr. Gower.
Mr. Caryl		

\* Oldmixon's History of the Stuarts, p. 308. Memorials, p. 213.



whatsoever else was found contrary to sound doctrine; and at the same time to preserve and defend the person and authority of the king; they therefore desired, since the whole kingdom was now in a manner reduced to the obedience of the parliament, that all separate congregations may be suppressed; that all such separatists who conform not to the public discipline may be declared against, that no person disaffected to the presbyterial government set forth by parliament, may be employed in any place of public trust\*; that the house will endeavour to remove all jealousies between them and the Scots, and hasten their propositions to the king, for a safe and well-grounded peace†.

This remonstrance was supported by the whole Scots nation, who acted in concert with their English brethren, as appears by a letter of thanks to the lord-mayor, aldermen, and common-council, from the general assembly, dated June 10, 1646, within a month after the delivery of the remonstrance‡: the letter commends their courageous appearance against sects and sectaries; their firm adherence to the covenant, and their maintaining the presbyterial government to be the government of Jesus Christ. It beseeches them to go on boldly in the work they had begun, till the three kingdoms were united in one faith and worship. At the same time they directed letters to the parliament, beseeching them also, in the bowels of Jesus Christ, to give to him the glory that is due to his name, by an immediate establishing of all his ordinances in their full integrity and power, according to the covenant. Nor did they forget to encourage the assembly at Westminster to proceed in their zeal against sectaries, and to stand boldly for the sceptre of Jesus Christ against the encroachments of earthly powers. These letters were printed and dispersed over the whole kingdom.

The wise parliament received the lord-mayor and his brethren with marks of great respect and civility; for neither the Scots nor English Presbyterians were to be disgusted, while the prize was in their hands, for which both had been contending; but the majority of the commons were displeased with the remonstrance and the high manner of enforcing it, as aiming, by a united force, to establish a sovereign despotic power in the church, with a uniformity, to which themselves, and many of their friends, were unwilling to submit; however, they dismissed the petitioners with a promise to take the particulars into consideration.

But the Independents and sectarians in the army, being alarmed at the impending storm, procured a counter petition from the city with great numbers of hands, "applauding the labours and suc-

\* Presbyterianism thus displayed the same intolerance as episcopacy had done. "Religious tyranny (observes Mr. Robinson) subsists in various degrees, as all civil tyrannies do. Popery is the consummation of it, and presbyterianism a weak degree of it. But the latter has in it the essence of the former: and differs from it only as a kept-mistress differs from a street-walker; or, as a musket differs from a cannon." *Plan of Lectures*, 5th edition, p. 38.—Ed.

† Whitelocke's *Memorials*, p. 212.

‡ Rushworth, p. 306.

cesses of the parliament in the cause of liberty, and praying them to go on with managing the affairs of the kingdom according to their wisdoms, and not suffer the freeborn people of England to be enslaved upon any pretence whatsoever; nor to suffer any set of people to prescribe to them in matters of government or conscience, and the petitioners will stand by them with their lives and fortunes." Mr. Whitelocke says, the hands of the royalists were in this affair, who, being beaten out of the field, resolved now to attempt the ruin of the parliament, by sowing discord among their friends \*.

The houses were embarrassed between the contenders for liberty and uniformity, and endeavoured to avoid a decision, till they saw the effect of their treaty with the king. They kept the Presbyterians in suspense, by pressing the assembly for their answer to the questions relating to the *jus divinum* of presbytery already mentioned, insinuating that they themselves were the obstacles to a full settlement, and assuring them, when this point was agreed, they would concur in such an ordinance as they desired. Upon this the assembly appointed three committees to take the questions into consideration; but the Independents took this opportunity to withdraw, refusing absolutely to be concerned in the affair.

The first committee was appointed to determine, whether any particular church-government was *jure divino*, and to bring their proofs from Scripture. But here they stumbled at the very threshold, for the Erastians divided them, and entered their dissent, so that when the answer was laid before the assembly, it was not called the answer of the committee, but of some brethren of the committee; and when the question was put, they withdrew from the assembly, and left the high Presbyterians to themselves, who agreed, with only one dissenting voice, that Jesus Christ, as king of the church, hath himself appointed a church-government distinct from the civil magistrate. The names of those who subscribed this proposition were:

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Mr. Walker	Mr. Valentine	Mr. Salway
Mr. Sedgwick	Mr. Price	Mr. Hardwicke
Mr. Marshal	Dr. Smith	Mr. Langley
Mr. Whitaker	Dr. Staunton	Mr. Simpson
Mr. Newcomen	Dr. Hoyle	Mr. Conant
Mr. Spurstow	Mr. Bayly	Mr. De la March
Mr. Delmy	Mr. Taylor	Mr. Byfield
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Mr. Carter, sen.	Mr. Good	Mr. Gower,
Mr. Caryl		

\* Oldmixon's History of the Stuarts, p. 308. Memorials, p. 213.



The divine who entered his dissent was Mr. Lightfoot, with whom Mr. Colman would have joined, if he had not fallen sick at this juncture, and died.

The discussing the remaining questions engaged the assembly from May till the latter end of July, and even then they thought it not safe to present their determinations to parliament for fear of a premunire; upon which the city-divines at Sion-college took up the controversy, in a treatise entitled, "The divine right of church-government," by the London ministers. Wherein they give a distinct answer to the several queries of the house of commons, and undertake to prove every branch of the presbyterial discipline to be *jure divino*, and that the civil magistrate had no right to intermeddle with the censures of the church.

And to shew the parliament they were in earnest, they resolved to stand by each other, and not comply with the present establishment, till it was delivered from the yoke of the civil magistrate; for which purpose they drew up a paper of reasons, and presented it to the lord-mayor, who, having advised with the common council, sent a deputation to Sion-college, offering to concur in a petition for redress, which they did accordingly, though without effect; for the parliament, taking notice of the combination of the city-ministers, published an order June 9, requiring those of the province of London to observe the ordinance relating to church-government, enjoining the members for the city to send copies thereof to their several parishes, and to take effectual care that they were immediately put in execution. Upon this the ministers of London and Westminster met again at Sion college June 19, and being a little more submissive, published certain considerations and cautions, according to which they agree to put the presbyterial government in practice according to the present establishment. Here they declare, "that the power of church-censures ought to be in church-officers, by the will and appointment of Jesus Christ, but then they are pleased to admit, that the magistracy ought to be satisfied in the truth of the government they authorize; and though it be not right in every particular, yet church officers may act under that rule, provided they do not acknowledge the rule to be right in all points. Therefore though they conceive the ordinances of parliament already published, are not a complete rule, nor in all points satisfactory to their consciences, yet because in many things they are so, and provision being made to enable the elderships, by their authority, to keep away from the Lord's supper all ignorant and scandalous persons; and a farther declaration being made, that there shall be an addition to the scandalous offences formerly enumerated, therefore they conceive it their duty to put in practice the present settlement, as far as they conceive it correspondent with the word of God; hoping that the parliament will in due time supply what is lacking, to make the government entire, and rectify what shall appear to be amiss." Thus reluctantly did these gentlemen bend to the authority of the parliament!

The kingdom of England, instead of so many diocesses, was now divided into a certain number of provinces, made up of representatives from the several classes within their respective boundaries; every parish had a congregational or parochial presbytery for the affairs of the parish; the parochial presbyteries were combined into classes; these returned representatives to the provincial assembly, as the provincial did to the national; for example, the province of London being composed of twelve classes, according to the following division, each classis chose two ministers, and four lay-elders, to represent them in a provincial assembly, which received general appeals from the parochial and classical presbyteries, as the national assembly did from the provincial.

The division of the province of London.

*The first classis to contain the following parishes.*

1 Allhallows, Bread-st.	7 Margaret Moses	13 St. Matthew, Friday-st.
2 Andrew's Wardrobe	8 St. Martin, Ludgate	14 Mildred, Bread-street,
3 Bennet, Paul's Wharf	9 St. Anne, Blackfriars	St. Paul's.
4 Faith's	10 St. Austin's	15 St. Peter's, Paul's
5 St. Gregory	11 St. Mary Aldermary	Wharf.
6 St. John Evangelist	12 St. Mary le Bow	

*The second classis.*

1 St. Antholine	7 St. Mary, Somerset	12 St. Nicholas Olives
2 Bennet Sheerhog	8 St. Mary Mounthaw	13 Pancras, Soper's-lane
3 St. James, Garlickhithe	9 St. Michael, Queen-	14 St. Thomas Apostle
4 St. John Baptist	hithe	15 Trinity.
5 Martin the Vintry	10 St. Michael Royal	
6 St. Mary Magdalene,	11 St. Nicholas, Old	
Old Fish-street	Abby	

*The third classis.*

1 Allhallows the greater	5 Lawrence Pountney	10 St. Nicholas Aaron
2 Allhallows the less	6 St. Mary Abchurch	11 St. Stephen's, Wal-
3 Allhallows, Lombard-st.	7 St. Mary Bothaw	brook
4 St. Edmund, Lombard-	8 St. Mary Woolchurch	12 St. Swithin's.
street.	9 St. Mary Woolnoth	

*The fourth classis.*

1 St. Andrews Hubbert	6 St. George, Botolph-	10 St. Martin Orgars
2 St. Bennet, Grace-	lane	11 St. Mary Hill
church	7 St. Leonard, East-	12 St. Michael, Crooked-
3 St. Botolph, Billings-	cheap	lane
gate	8 St. Magnus	13 St. Michael, Cornhill
4 St. Clement, Eastcheap	9 St. Margaret, New	14 St. Peter, Cornhill.
5 Dionis Back-church	Fish-street	

*The fifth classis.*

1 St. Anne, Aldersgate	6 St. John Zachary	10 St. Olave, Silver-st.
2 St. Botolph, Aldersgate	7 St. Leonard, Foster-	11 St. Peter, Cheap
3 St. Bride's	lane	12 St. Foster, alias Ve-
4 Bridewell	8 St. Mary Staynings	dast.
5 Christ-church	9 St. Michael in the Corn,	
	vulgo in the Querne	



*The sixth classis.*

1 St. Alban, Wood-street	7 St. Martin, Ironmon- ger-lane	10 St. Mary Colechurch
2 Allhallows, Honey-lane	8 St. Mary, Alderman- bury	11 St. Michael, Wood-st.
3 St. Alphage	9 St. Mary Magdalen, Milk-street	12 St. Mildred, Poultry
4 St. Giles, Cripplegate		13 St. Olave, Jewry.
5 St. James's chapel		
6 St. Lawrence, Jewry		

*The seventh classis.*

1 Allhallows in the Wall	4 St. Botolph, Bishops- gate	7 St. Michael, Bassishaw
2 St. Bartholomew, Ex- change	5 St. Christopher's	8 St. Peter Poor
3 St. Bennet Finck	6 St. Margaret, Lothbury	9 St. Stephen, Coleman- street.

*The eighth classis.*

1 St. Andrew Undershaft	6 St. James, Duke-place	9 St. Martin, Outwich
2 St. Botolph, Aldgate	7 St. Katherine, Cree- church	10 St. Mary, Stoke-New- ington.
3 St. Ethelburga	8 St. Leonard, Shore- ditch	
4 St. John, Hackney		
5 St. Helen's		

*The ninth classis.*

1 Allhallows Barking	6 St. Katherine, Tower	10 Stepney
2 Allhallows Steyning	7 St. Margaret Pattoons	11 Trinity, Minorics
3 St. Dunstan in the East	8 St. Olive, Hart-street	12 Wapping
4 St. Gabriel, Fenchurch	9 St. Peter in the Tower	13 Whitechapel.
5 St. Katherine, Coleman		

*The tenth classis.*

1 St. George, Southwark	4 St. Mary Overies	8 St. Thomas's Hospital
2 Lambeth	5 Newington Butts	9 St. Thomas's, South- wark.
3 St. Mary Magdalen, Bermondsey	6 St. Olave, Southwark	
	7 Rotherhithe	

*The eleventh classis.*

1 St. Clement Danes	4 St. Margaret, West- minster	6 New Church
2 St. Giles in the Fields	5 St. Martin in the Fields	7 St. Peter, Westminster
3 Knightsbridge		8 St. Paul, Covent-garden.

*The twelfth classis.*

1 St. Andrew, Holborn	4 Charterhouse	7 St. Mary, Islington
2 St. Bartholomew the greater	5 St. Dunstan in the West	8 St. Sepulchre's.
3 St. Bartholomew the less	6 St. James's Clerken- well	

Thus the Presbyterian ecclesiastical government began to appear in its proper form; but new obstructions being raised by the ministers to the choice of representatives, the provincial assembly did not meet till next year, nor did it ever obtain except in London and Lancashire. The parliament never heartily approved it, and the interest that supported it being quickly disabled, Mr. Echard says, the Presbyterians never saw their dear presbytery settled in any one part of England\*. But Mr. Baxter, who is a much better authority, says, the ordinance was executed in London and Lancashire, though it remained unexe-

\* Echard, p. 634.

cuted in almost all other parts. However, the Presbyterian ministers had their voluntary associations for church-affairs in most counties, though without any authoritative jurisdiction.

To return to the king, who marched with the Scots army from Newark to Newcastle, where he continued about eight months, being treated with some respect, but not with all the duty of subjects to a sovereign. The first sermon that was preached before him gave hopes\*, that they would be mediators between him and the parliament; it was from 2 Sam. xix. 41—43, "And behold, all the men of Israel came to the king, and said to the king, Why have the men of Judah stolen thee away?—And all the men of Judah answered the men of Israel, Because the king is near of kin to us; wherefore then be ye angry for this matter? have we eaten at all of the king's cost? or hath he given us any gift?—And the men of Israel answered the men of Judah, and said, We have ten parts in the king; and we have also more right in David than ye; why then did ye despise us, that our advice should not be first had, in bringing back our king?—And the words of the men of Judah were fiercer than the words of the men of Israel." But it quickly appeared, that nothing would be done except upon condition of the king's taking the covenant, and establishing the presbyterial government in both kingdoms. When the king was pressed upon these heads, he pleaded his conscience, and declared that though he was content the Scots should enjoy their own discipline, he apprehended his honour and conscience were concerned to support episcopacy in England, because it had been established from the Reformation, and that he was bound to uphold it by his coronation-oath; however, he was willing to enter into a conference with any person whom they should appoint, protesting he was not ashamed to change his judgment, or alter his resolution, provided they could satisfy him in two points:

1st. That the episcopacy he contended for was not of divine institution.—2dly. That his coronation-oath did not bind him to support and defend the church of England as it was then established.

To satisfy the king in these points the Scots sent for Mr. Alexander Henderson from Edinburgh, pastor of a church in that city, rector of the university, and one of the king's chaplains, a divine of great learning and abilities, as well as discretion and prudence. Mr. Rushworth says, that he had more moderation

\* Mr. Whitelocke informs us, *Memorials*, p. 234, "that a Scotch minister preached boldly before the king, December 16, 1646, at Newcastle, and after his sermon called for the fifty-second psalm, which begins,

'Why dost thou, tyrant, boast thyself,

'Thy wicked works to praise?'

His majesty thereupon stood up, and called for the fifty-sixth Psalm, which begins,

'Have mercy, Lord, on me, I pray,

'For men would me devour.'

The people waived the minister's psalm, and sung that which the king called for."—Ed.



than most of his way. And Collyer adds, that he was a person of learning, elocution, and judgment, and seems to have been the top of his party \*. The debate was managed in writing: the king drew up his own papers, and gave them sir Robert Murray to transcribe, and deliver to Mr. Henderson †; and Mr. Henderson's hand not being so legible as his, sir Robert, by the king's appointment, transcribed Mr. Henderson's papers for his majesty's use ‡.

The king, in his first paper of May 29, declares his esteem for the English reformation, because it was effected without tumult; and was directed by those who ought to have the conduct of such an affair §. He apprehends they kept close to apostolical appointment, and the universal custom of the primitive church; that therefore the adhering to episcopacy must be of the last importance, as without it the priesthood must sink, and the sacraments be administered without effect; for these reasons he conceives episcopacy necessary to the being of a church, and also, that he is bound to support it by his coronation-oath. Lastly, his majesty desires to know of Mr. Henderson, what warrant there is in the word of God for subjects to endeavour to force their king's conscience, or to make him alter laws against his will.

Mr. Henderson, in his first paper of June 3, after an introduction of modesty and respect, wishes when occasion requires, that religion might always be reformed by the civil magistrate, and not left either to the prelates or the people; but when princes or magistrates are negligent of their duty, God may stir up the subject to perform this work ||. He observes, that the reformation of king Henry VIII. was very defective in the essentials of doctrine, worship, and government; that it proceeded with a Laodicean lukewarmness; that the supremacy was transferred from one wrong head to another, and the limbs of the antichristian hierarchy were visible in the body. He adds, that the imperfection of the English reformation had been the complaint of many religious and godly persons; that it had occasioned more schism and separation than had been heard of elsewhere, and had been matter of unspeakable grief to other churches. As to

\* Collyer, p. 848.

† Duke of Hamilton's Memoirs, 277.

‡ Dr. Grey blames Mr. Neal here for omitting bishop Burnet's account of the king's superiority in this controversy. "Had his majesty's arms (says the bishop) been as strong as his reason was, he had been every way unconquerable, since none have the dissimulation to deny the great advantage his majesty had in all these writings: and this was when the help of his chaplains could not be suspected, they being so far from him; and that the king drew with his own hand all his papers without the help of any, is averred by the person who alone was privy to the interchanging of them, that worthy and accomplished gentleman Robert Murray." The bishop's opinion may be justly admitted, as a testimony to the ability with which the king handled the question: and yet some allowance should be made for the bias with which this prelate would naturally review arguments in favour of his own sentiments and rank.—Ed.

§ Bibl. Reg. p. 296.

|| Ibid. p. 312, &c.

the king's argument, that the validity of the priesthood, and the efficacy of the sacraments, depended upon episcopacy, he replies, that episcopacy cannot make out its claim to apostolical appointment; that when the apostles were living, there was no difference between a bishop and a presbyter; no inequality in power or degree, but an exact parity in every branch of their character; that there is no mention in Scripture of a pastor or bishop superior to other pastors. There is a beautiful subordination in the ministry of the New Testament; one kind of ministers being placed in degree and dignity above another, as first apostles, then evangelists, then pastors and teachers, but in offices of the same rank and kind we do not find any preference; no apostle is constituted superior to other apostles; no evangelist is raised above other evangelists; nor has any pastor or deacon a superiority above others of their order.

Farther, Mr. Henderson humbly desires his majesty to take notice, that arguing from the practice of the primitive church, and the consent of the fathers, is fallacious and uncertain, and that the law and testimony of the word of God are the only rule. The practice of the primitive church, in many things, cannot certainly be known, as Eusebius confesses, that even in the apostles' time Diotrephes moved for the pre-eminence, and the mystery of iniquity began to work; and that afterward ambition and weakness quickly made way for a change in church-government.

Mr. Henderson hopes his majesty will not deny the lawfulness of the ministry, and due administration of the sacraments, in those reformed churches where there are no diocesan bishops; that it is evident from Scripture, and confessed by many champions for episcopacy, that presbyters may ordain presbyters; and to disengage his majesty from his coronation-oath, as far as relates to the church, he conceives, when the formal reason of an oath ceases, the obligation is discharged: when an oath has a special regard to the benefit of those to whom the engagement is made, if the parties interested relax upon the point, dispense with the promise, and give up their advantage, the obligation is at an end. Thus when the parliaments of both kingdoms have agreed to the repealing of a law, the king's conscience is not tied against signing the bill, for then the altering any law would be impracticable.— He concludes with observing, that king James never admitted episcopacy upon divine right; and that could his ghost now speak, he would not advise your majesty to run such hazards, for men [prelates] who would pull down your throne with their own, rather than that they perish alone.

The king, in his second paper \* of June 6, avers, no reformation is lawful, unless under the conduct of the royal authority; that king Henry VIII.'s reformation being imperfect, is no proof

\* Bib. Reg. p. 320. 322, &c.



of defects in that of king Edward VI. and queen Elizabeth; that Mr. Henderson can never prove, God has given the multitude leave to reform the negligence of princes; that his comparing our reformation to the Laodicean lukewarmness, was an unhandsome way of begging the question, for he should have first made out, that those men [the Puritans] had reason to complain, and that the schism was chargeable upon the conformists. His majesty is so far from allowing the Presbyterian government to be practised in the primitive times, that he affirms, it was never set up before Calvin; and admits, that it was his province to show the lawfulness, and uninterrupted succession, and by consequence the necessity, of episcopacy, but that he had not then the convenience of books, nor the assistance of such learned men as he could trust, and therefore proposes a conference with his divines. And whereas Mr. Henderson excepts to his reasoning from the primitive church, and consent of the fathers; his majesty conceives his exception indefensible, for if the sense of a doubtful place of Scripture is not to be governed by such an authority, the interpretation of the inspired writings must be left to the direction of every private spirit, which is contrary to St. Peter's doctrine, 2 Pet. i. 20, "No prophecy of Scripture is of private interpretation;" it is likewise the source of all sects, and without prevention will bring these kingdoms into confusion. His majesty adds, that it is Mr. Henderson's part to prove, that presbyters without a bishop may ordain other presbyters. As to the administration of the sacraments, Mr. Henderson himself will not deny, a lawfully-ordained presbyter's being necessary to that office; so that the determination of this latter question will depend in some measure on the former. With regard to oaths, his majesty allows Mr. Henderson's general rule, but thinks he is mistaken in the application; for the clause touching religion in the coronation-oath was made only for the benefit of the church of England; that therefore it is not in the power of the two houses of parliament to discharge the obligation of this oath, without their consent. That this church never made any submission to the two houses, nor owned herself subordinate to them; that the reformation was managed by the king and clergy, and the parliament assisted only in giving a civil sanction to the ecclesiastical establishment.—These points being clear to his majesty, it follows by necessary consequence, that it is only the church of England, in whose favour he took this oath, that can release him from it, and that therefore, when the church of England, lawfully assembled, shall declare his majesty discharged, he shall then, and not till then, reckon himself at liberty\*.

Mr. Henderson, in his reply to this second paper of June 17, agrees with the king, that the prime reforming power is in kings and princes, but adds, that in case they fail of their duty, this

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\* Bib. Reg. p. 325.

authority devolves upon the inferior magistrate, and upon their failure, to the body of the people, upon supposition that a reformation is necessary, and that people's superiors will by no means give way to it; he allows that such a reformation is more imperfect with respect to the manner, but commonly more perfect and refined in the product and issue. He adds, that the government of the church of England is not supposed to be built on the foundation of Christ and his apostles, by those who confess that church-government is mutable and ambulatory, as was formerly the opinion of most of the English bishops; that the divine right was not pleaded till of late by some few; that the English reformation has not perfectly purged out the Roman leaven, but rather depraved the discipline of the church by conforming to the civil polity, and adding many supplemental officers to those instituted by the Son of God. To his majesty's objections, that the Presbyterian government was never practised before Calvin's time, he answers, that it is to be found in Scripture; and the assembly of divines at Westminster had made it evident, that the primitive church at Jerusalem was governed by a presbytery; that the church at Jerusalem consisted of more congregations than one; that all these congregations were combined under one presbyterial government, and made but one church; that this church was governed by elders of the same body, and met together for functions of authority, and that the apostles acted not in quality of apostles, but only as elders, Acts xv.; that the same government was settled in the churches of Ephesus, Corinth, Thessalonica, and continued many years after; and at last, when one of the presbytery presided over the rest with the style of bishop, even then, as St. Jerome says, churches were governed with the joint consent of the presbytery, and it was custom, rather than divine appointment, which raised a bishop above a presbyter. To his majesty's argument, that where the meaning of Scripture is doubtful, we must have recourse to the fathers, Mr. Henderson replies, that notwithstanding the decrees of councils, and the resolutions of the fathers, a liberty must be left for a judgment of discretion, as had been sufficiently shown by bishop Davenant and others. To prove presbyters may ordain other presbyters without a bishop, he cites St. Paul's advice to Timothy, 1 Tim. iv. 14, not to neglect the gift that was given him by the laying on of the hands of the presbytery; but granting bishops and presbyters to be distinct functions, it will not follow, that the authority and force of the presbyter's character were derived from the bishop; for though the evangelists and seventy disciples were inferior to the apostles, they received not their commission from the apostles, but from Christ himself.

Concerning the king's coronation-oath, Mr. Henderson apprehends nothing need be added. As to the supremacy, he thinks such a headship as the kings of England claim, or such a one as the two houses of parliament now insist on, that is, an autho-



rity to receive appeals from the supreme ecclesiastical judicatures, in things purely spiritual, is not to be justified; nor does he apprehend the consent of the clergy to be absolutely necessary to church-reformation, for if so, what reformation can be expected in France, in Spain, or in Rome itself? It is not to be imagined, that the pope or prelates will consent to their own ruin. His majesty had said, that if his father king James had been consulted upon the question of resistance, he would have answered, that prayers and tears are the church's weapons. To which Mr. Henderson replies, that he could never hear a good reason to prove a necessary defensive war, a war against unjust violence, unlawful; and that bishop Jewel and Bilson were of this mind. To the question, what warrant there was in Scripture for subjects to endeavour to force their king's conscience? he replies, that when a man's conscience is mistaken, it lies under a necessity of doing amiss; the way therefore to disentangle himself is to get his conscience better informed, and not to move till he has struck a light and made farther discoveries\*.

The king, in his answer of June 22 to Mr. Henderson's second paper, still insists, that inferior magistrates and people have no authority to reform religion. If this point can be proved by Scripture, his majesty is ready to submit; but the sacred history in the Book of Numbers, chap. xvi., is an evidence of God's disapproving such methods. Private men's opinions disjoined from the general consent of the church signify little, for rebels, says his majesty, never want writers to maintain their revolt. Though his majesty has a regard for bishop Jewel and Bilson's memories, he never thought them infallible; as for episcopal government, he is ready to prove it an apostolical institution, and that it has been handed down through all ages and countries till Calvin's time, as soon as he is furnished with books, or such divines as he shall make choice of; he does not think that Mr. Henderson's arguments to prove the church of England not built on the foundation of Christ and his apostles are valid, nor will he admit that most of the prelates, about the time of the Reformation, did not insist upon the divine right. The king adds, Mr. Henderson would do well to shew where our Saviour has prohibited the addition of more church-officers than those named by him: and yet the church of England has not so much as offered at this, for an archbishop is not a new officer, but only a distinction in the order of government, like the moderator of assemblies in Scotland. His majesty denies that bishops and presbyters always import the same thing in Scripture, and when they do, it only respects the apostles' times, for it may be proved, that the order of bishops succeeded that of the apostles, and that the title was altered in regard to those who were immediately chosen by our Saviour. As for the several congregations in Jerusalem, united in one church, his majesty replies,

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\* Bib. Reg. p. 337, &c.

Are there not many parishes in one diocess? And do not the deans and chapters, and sometimes the inferior clergy, assist the bishop? So that unless some positive and direct proof can be brought of an equality between the apostles and other presbyters, all arguments are with him inconclusive. The king confesses, that in case he cannot prove from antiquity that ordination and jurisdiction are peculiar branches of authority belonging to bishops, he shall begin to suspect the truth of his principles. As for bishop Davenant's testimony, he refuses to be governed by that; nor will he admit of Mr. Henderson's exception against the fathers, till he can find out a better rule of interpreting Scripture. And whereas Mr. Henderson urged the precedent of foreign reformed churches in favour of presbytery, his majesty does not undertake to censure them, but supposes necessity may excuse many things which would otherwise be unlawful; the church of England, in his majesty's judgment, has this advantage, that it comes nearest the primitive doctrine and discipline; and that Mr. Henderson has failed in proving presbyters may ordain without a bishop, for it is evident St. Paul had a share in Timothy's ordination, 2 Tim. i. 6. As to the obligation of the coronation-oath, the king is still of opinion, none but the representative body of the clergy can absolve him; and as for the impracticableness of reformation upon the king's principles, he cannot answer for that, but thinks it sufficient to let him know, that *incommodum non solvit argumentum*. His majesty then declares, that as it is a great sin for a prince to oppress the church; so, on the other hand, he holds it absolutely unlawful for subjects to make war (though defensively) against their lawful sovereign, upon any pretence whatsoever.

Mr. Henderson, in his third paper of July 2, considers chiefly the rules his majesty had laid down for determining the controversy of church-government, which are the practice of the primitive church, and the universal consent of the fathers; and affirms, there is no such primitive testimony, no such universal consent in favour of modern episcopacy; the fathers very often contradicting one another, or at least not concurring in their testimony. But to shew the uncertainty of his majesty's rule for determining controversies of faith, Mr. Henderson observes,

1. That some critics join the word of God and antiquity together; others make Scripture the only rule, and antiquity the authentic interpreter. Now he thinks the latter a greater mistake than the former, for the Papists bring tradition no farther than to an equality of regard with the inspired writings, but the others make antiquity the very ground of their belief of the sense of Scripture, and by that means exalt it above the Scripture; for the interpretation of the fathers is made the very formal reason why I believe the Scripture interpretable in such a sense; and thus, contrary to the apostle's doctrine,—our faith must stand in the wisdom of man, and not in the power of God.



2. He observes, that Scripture can only be authentically interpreted by Scripture itself. Thus the Levites had recourse only to one part of Scripture for the interpreting another, Neh. viii. 8. So likewise our Saviour interprets the Old Testament, by comparing scripture with scripture, and not having recourse to the rabbies. This was likewise the apostles' method. Besides, when persons insist so much upon the necessity of the fathers, they are in danger of charging the Scriptures with obscurity or imperfection.

3. The fathers themselves say, that Scripture is not to be interpreted but by Scripture.

4. Many errors have passed under the shelter of antiquity and tradition; Mr. Henderson cites a great many examples under this head.

And lastly, He insists, that the universal consent and practice of the primitive church are impossible to be known; that many of the fathers were no authors; that many of their tracts are lost; that many performances which go under their names are spurious, especially upon the subject of episcopacy, and that therefore they are an uncertain rule.

The king, in his papers\* of July 3 and 16, says, no man can reverence Scripture more than himself; but when Mr. Henderson and he differ about the interpretation of a text, there must be some judge or umpire, otherwise the dispute can never be ended; and when there are no parallel texts, the surest guide must be the fathers. In answer to Mr. Henderson's particulars, his majesty answers, that if some people overrate tradition, that can be no argument against the serviceableness of it; but to charge the primitive church with error, and to call the customs and practices of it unlawful, unless the charge can be supported from Scripture, is an unpardonable presumption. Those who object to the ancient rites and usages of the church must prove them unlawful, otherwise the practice of the church is sufficient to warrant them. His majesty denies it is impossible to discover the universal consent, and understand the practice, of the primitive church; and concludes with this maxim, that though he never esteemed any authority equal to the Scriptures, yet he believes the unanimous consent of the fathers, and the universal practice of the primitive church, the best and most authentic interpreters, and by consequence the best qualified judges between himself and Mr. Henderson.

\* Bib. Reg. p. 351—353.

In addition to the encomium bestowed by bishop Burnet on the king's papers, which we have already quoted, it may be subjoined, that sir Philip Warwick also extolled them, as shewing his majesty's "great ability and knowledge, when he was destitute of all aids." Yet it is remarkable, as observes Dr. Harris, who had turned over Stillingfleet's *Irenicum*, and *Unreasonableness of Separation*, Hoadly's *Defence of Episcopal Ordination*, and many other volumes, these royal "papers have been little read, and are seldom or never quoted on the subject of episcopacy." So that it is "possible, these learned churchmen had not so great an opinion of the arguments made use of by Charles in these papers, as the historians (viz. Burnet and sir P. Warwick) I have quoted." *Life of Charles I.* p. 101.—ED.

One may learn, from this controversy, some of the principles in which king Charles I. was instructed ; as,

- (1.) The divine right of diocesan episcopacy.
- (2.) The uninterrupted succession of bishops, rightly ordained, from the time of the apostles ; upon which the whole validity of the administration of the Christian sacraments depends.
- (3.) The necessity of a judge of controversies, which his majesty lodges with the fathers of the Christian church, and by that means leaves little or no room for private judgment.
- (4.) The independency of the church upon the state.
- (5.) That no reformation of religion is lawful but what arises from the prince or legislature ; and this only in cases of necessity, when a general council cannot be obtained.
- (6.) That the multitude or common people may not in any case take upon them to reform the negligence of princes. Neither,
- (7.) May they take up arms against their prince, even for self-defence, in cases of extreme necessity ?

How far these principles are defensible in themselves, or consistent with the English constitution, I leave with the reader ; but it is very surprising that his majesty should be so much entangled with that part of his coronation-oath which relates to the church, when for fifteen years together he broke through all the bounds of it with relation to the civil liberties of his subjects, without the least remorse.

Upon the close of this debate, and the death of Mr. Henderson, which followed within six weeks ; the king's friends gave out, that his majesty had broke his adversary's heart\*. Bishop Kennet and Mr. Echard have published the following recantation, which they would have the world believe this divine dictated, or signed upon his death-bed :

" I do declare before God and the world, that since I had the honour and happiness to converse and confer with his majesty with all sorts of freedom, especially in matters of religion, whether in relation to the kirk or state, that I found him the most intelligent man that I ever spoke with, as far beyond my expression as expectation. I profess, that I was oftentimes astonished with the solidity and quickness of his reasons and replies ; and wondered how he, spending his time so much in sports and recreations, could have attained to so great knowledge ; and must confess ingenuously, that I was convinced in conscience, and knew not how to give him any reasonable satisfaction ; yet the sweetness of his disposition is such, that whatsoever I said was well taken. I must say, I never

\* This effect was ascribed to his majesty's arguments by bishop Kennet and lord Clarendon ; who certainly were a little too hasty in this judgment. For, as it is well observed by Dr. Harris, " disputants, veteran ones, as Henderson was, have generally too good a conceit of their own abilities, to think themselves overcome ; and though the awe of majesty may silence, it seldom persuades them." *The Life of Charles I.* p. 99, 100. Some said, Mr. Henderson died of grief, because he could not persuade the king to sign the propositions. *Whitelocke's Memorials*, p. 225.—Ed.



met with any disputant of that mild and calm temper, which convinced me the more, and made me think, that such wisdom and moderation could not be, without an extraordinary measure of divine grace. I had heard much of his carriage towards the priests in Spain, and that king James told the duke of Buckingham, upon his going thither, that he durst venture his son Charles with all the Jesuits in the world, he knew him to be so well grounded in the Protestant religion, but could never believe it before. I observed all his actions, more particularly those of devotion, which I must truly say are more than ordinary.—If I should speak of his justice, magnanimity, charity, sobriety, chastity, patience, humility, and of all his other Christian and moral virtues, I should run myself into a panegyric; no man can say, there is conspicuously any predominant vice in him; never man saw him passionately angry; never man heard him curse, or given to swearing; or heard him complain in the greatest durance of war, or confinement.—But I should seem to flatter him, to such as do not know him, if the present condition that I lie in did not exempt me from any suspicion of worldly ends, when I expect every hour to be called from all transitory vanities to eternal felicity, and the discharging of my conscience before God and man did not oblige me to declare the truth simply and nakedly, in satisfaction of that which I have done ignorantly, though not altogether innocently \*.” The declaration adds, that he was heartily sorry for the share he had had in the war; that the parliament and synod of England had been abused with false aspersions of his majesty; and that they ought to restore him to his just rights, and his crown and dignity, lest an indelible character of ingratitude lie upon him.

Mr. Echard confesses † he had been informed, that this declaration was spurious ‡, but could find no authority sufficient to support such an assertion. It will be proper therefore to trace the history of this imposture, and set it in a clear and convincing light, from a memorial sent me from one of the principal Scots divines, professor Hamilton of Edinburgh. The story was invented by one

\* Compl. Hist. p. 190. Bennet's Def. of his Mem. p. 130.

† Echard, p. 526, ed. 3d.

‡ Dr. Grey sneers here at Mr. Neal, for not referring to the place, where Mr. Echard makes this confession; and for keeping out of view the name of the memorialist on whose authority he speaks. He then spends nearly five pages in cavilling at this authority, and in strictures on that of Mr. Burnet; through these I am not properly qualified to follow the doctor, as I have not Mr. Bennet's Defence of his Memorial: and it is unnecessary, for the question concerning the spuriousness of this piece had been discussed, in 1693, ere Neal or Burnet had written, by lieutenant-general Ludlow, in a tract against Dr. Hollingworth, entitled, "Truth brought to Light." Ludlow argues against its authenticity on these grounds: that archbishop Lamplugh, the great advocate for the king, had it not been a forgery, would not have failed to publish it: that it is not found in king Charles's works, though all that passed between the king and Mr. Henderson is there recited; that Mr. Henderson was a Scotchman, whereas the words, style, and matter, are plainly and elegantly English, and not Scottish; but the great stress is laid on the inscription on his monument, and on the assembly's declaration, to which Mr. Neal refers, and which Dr. Grey treats as spurious. These papers, as Ludlow's tract is scarce, shall be given in the Appendix, No. 10.—Ed.

of the Scots episcopal writers, who had fled to London, and was first published in the beginning of the year 1648, in a small pamphlet in quarto, about two years after Mr. Henderson's death. From this pamphlet Dr. Heylin published it as a credible report. Between thirty and forty years after Heylin had published it, viz. 1693, Dr. Hollingworth in his character of king Charles I. republished the paper above mentioned, entitled "The declaration of Mr. Alexander Henderson, principal minister of the word of God at Edinburgh, and chief commissioner, of the kirk of Scotland to the parliament and synod of England;" which paper the doctor says he had from Mr. Lamplugh, son to the late archbishop of York of that name, from whom the historians above mentioned, and some others, have copied it; but, says the memorial, upon publishing the aforesaid story to the word, the assembly of the kirk of Scotland appointed a committee to examine into the affair, who, after a full inquiry, by their act of August 7, 1648, declared the whole to be a forgery, as may be seen in the printed acts of the general assembly for that year, quarto, page 420, &c. in which they signify their satisfaction and assurance, that Mr. Henderson persisted in his former sentiments to his death\*; that when he left the king at Newcastle he was greatly decayed in his natural strength; that he came from thence by sea in a languishing condition, and died within eight days after his arrival at Edinburgh†; that he was not able to frame such a declaration as is palmed upon him; and that all he spoke upon his death-bed shewed his judgment was the same as it ever had been about church-reformation. This was attested before the assembly by several ministers who visited him upon his death-bed, and particularly by two who constantly attended him from the time he came home till the time he expired. After this and a great deal more to the same purpose, "they declare the above-mentioned paper, entitled 'A declaration of Mr. Alexander Henderson's,' &c. to be forged, scandalous, and false‡, and the author and contriver of the same to be void of charity and a good conscience; a gross liar and a calumniator, and led by the spirit of the accuser of the brethren§."

While the king was debating the cause of episcopacy, the parliament were preparing their propositions for a peace, which were ready for the royal assent by the 11th of July. The Scots commissioners demurred to them for some time, for not coming up fully to their standard, but at length acquiescing, they were engrossed, and carried to the king by the earl of Pembroke, and Montgomery and the earl of Suffolk, of the house of peers; and by sir Walter Erle, sir John Hippisly, Robert Goodwin, and Luke Robertson, esq. of

\* Appendix, No. 10.

† Hist. of the Stuarts, p. 310.

‡ If this character of Charles, ascribed to Mr. Henderson, were genuine, "it would (as Ludlow observes) avail very little; being the single sentiment of a stranger, that could not have had much experience of him." Truth brought to Light, p. 6.—Ed.

§ Vide Bennet's Def. of his Mem. p. 134.



the house of commons; the earls of Argyle and Loudon were commissioners for Scotland, and the reverend Mr. Marshal was ordered to attend as their chaplain\*. The commissioners arrived at Newcastle July 23; next day they waited upon his majesty, and having kissed his hand, Mr. Goodwin delivered the following propositions:—

Those relating to the civil government were,

(1.) That the king should call in all his declarations against the parliament.

(2.) That he should put the militia into their hands for twenty years, with a power to raise money for their maintenance.

(3.) That all peerages since May 21, 1642, should be made void.

(4.) That the delinquents therein mentioned should undergo the penalties assigned in the bill. And,

(5.) That the cessation with the Irish be disannulled, and the management of the war left to the parliament.

The propositions relating to religion were,

1. "That his majesty, according to the laudable example of his father, would be pleased to swear and sign the late solemn league and covenant, and give his consent to an act of parliament, enjoining the taking it throughout the three kingdoms, under certain penalties, to be agreed upon in parliament.

2. "That a bill be passed for the utter abolishing and taking away all archbishops, bishops, their chancellors, commissaries, deans, sub-deans, deans and chapters, archdeacons, canons and prebendaries, and all chanters, chancellors, treasurers, sub-treasurers, succentors, sacrists, and all vicars and choristers, old vicars, and new vicars of any cathedral or collegiate church, and all other under-officers, out of the church of England, and out of the church of Ireland, with such alterations as shall agree with the articles of the late treaty of Edinburgh, November 29, 1643, and the joint declaration of both kingdoms.

3. "That the ordinance for the calling and sitting of the assembly of divines be confirmed.

4. "That reformation of religion, according to the covenant, be settled by act of parliament in such manner as both houses have agreed, or shall agree, after consultation with the assembly of divines.

5. "Forasmuch as both kingdoms are obliged by covenant to endeavour such a uniformity of religion as shall be agreed upon by both houses of parliament in England, and by the church and kingdom of Scotland, after consultation had with the divines of both kingdoms assembled, that this be confirmed by acts of parliament of both kingdoms respectively.

6. "That for the more effectual disabling Jesuits, priests, Papists, and Popish recusants, from disturbing the state, and

\* Rushworth, vol. 6. p. 309. 311. Rapin, vol. 2. p. 524, fol. edit.

eluding the laws, an oath be established by act of parliament, wherein they shall abjure and renounce the pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping of the consecrated host, crucifixes, and images, and all other Popish superstitions and errors; and the refusal of the said oath, legally tendered, shall be a sufficient conviction of recusancy.

7. "That an act of parliament be passed, for educating of the children of Papists by Protestants, in the Protestant religion.

8. "That an act be passed for the better levying the penalties against Papists; and another for the better preventing their plotting against the state; and that a stricter course may be taken to prevent saying or hearing of mass in the court, or any other part of the kingdom: the like for Scotland, if the parliament of that kingdom shall think fit.

9. "That his majesty give his royal assent to an act for the due observation of the Lord's day; to the bill for the suppression of innovations in churches and chapels in and about the worship of God; to an act for the better advancement of the preaching of God's holy word in all parts of the kingdom; to the bill against pluralities of benefices and nonresidency; and, to an act to be framed for the reforming and regulating both universities, and the colleges of Westminster, Winchester, and Eton."

About sixty persons were by name excepted out of the general pardon\*; besides,

(1.) All Papists that had been in the army.

(2.) All persons that had been concerned in the Irish rebellion.

(3.) Such as had deserted the two houses at Westminster and went to Oxford.

(4.) Such members of parliament as had deserted their places, and borne arms against the two houses. And,

(5.) Such bishops or clergymen, masters or fellows of colleges, or masters of schools or hospitals, or any ecclesiastical living, who had deserted the parliament, and adhered to the enemies thereof, were declared incapable of any preferment or employment in church or commonwealth; all their places, preferments, and promotions, were to be utterly void, as if they were naturally dead; nor might they be permitted to use their function of the ministry, without advice and consent of both houses of parliament; provided that no lapse shall incur by this vacancy till six months after notice thereof.

When Mr. Goodwin had done, the king asked the commissioners if they had power to treat, to which they replied, that they were only to receive his majesty's answer; then said the king, "Saving the honour of the business, a trumpeter might have done as well†;" the very same language as at the treaty of Oxford; but the earl of Pembroke told his majesty, they must receive his peremptory answer in ten days, or return without it.

\* Remonstrance, vol. 6, p. 315.

† Whitelocke's Memorials, p. 223.



Great intercessions were made with the king to comply with these proposals \*, particularly in the point of religion, for without full satisfaction in that, nothing would please the Scots nation, nor the city of London, by whom alone his majesty could hope to be preserved; but if this was yielded they would interpose for the moderating other demands; the Scots general, at the head of one hundred officers, presented a petition upon their knees, beseeching his majesty to give them satisfaction in the point of religion, and to take the covenant. Duke Hamilton, and the rest of the Scots commissioners, pressed his majesty in the most earnest manner, to make use of the present opportunity for peace †. The lord-chancellor for that kingdom spoke to this effect: "The differences between your majesty and your parliament are grown to such a height, that after many bloody battles they have your majesty, with all your garrisons and strong holds in their hands, and the whole kingdom at their disposal; they are now in a capacity to do what they will in church and state; and some are so afraid, and others so unwilling, to submit to your majesty's government, that they desire not you, nor any of your race, longer to reign over them; but they are unwilling to proceed to extremities, till they know your majesty's last resolutions.—Now, sir, if your majesty shall refuse to assent to the propositions, you will lose all your friends in the houses, and in the city, and all England will join against you as one man; they will depose you, and set up another government; they will charge us to deliver your majesty to them, and remove our armies out of England; and upon your refusal, we shall be constrained to settle religion and peace without you, which will ruin your majesty and your posterity. We own the propositions are higher in some things than we approve of, but the only way to establish your majesty's throne is to consent to them at present, and your majesty may recover, in a time of peace, all that you have lost in this time of tempest and trouble ‡."

This was plain-dealing: the king's best friends prayed his majesty to consider his present circumstances, and not hazard his crown for a form of church-government; or, if he had no regard to himself, to consider his royal posterity; but the king replied, his conscience was dearer to him than his crown; that till he had received better satisfaction about the divine right of episcopacy, and the obligation of his coronation-oath, no considerations should prevail with him §; he told the officers of the army, he neither could nor would take the covenant, till he had heard from the queen ||. Which was only an excuse to gain time to divide his

\* The commissioners of both kingdoms on their knees begged of him to do it. Whitelocke's Memoirs, p. 223.—ED.

† Hamilton's Memoirs, p. 281. 285.

‡ Rapin, vol. 2. p. 524; and Rushworth, vol. 6. p. 319.

§ Duke of Hamilton's Memoirs, p. 281.

|| This clause is not in the Memoirs of the Duke; and as Mr. Neal has not, particularly, referred to his authority for it, Dr. Grey expressed his fears, that it is an interpolation.—ED.

enemies, for the king had then actually heard from his queen by monsieur Bellievre, the French ambassador, who pressed his majesty, pursuant to positive instructions given him for that purpose, as the advice of the king of France, of the queen, and of his own party, to give the Presbyterians satisfaction about the church\*. Bellievre, not being able to prevail, dispatched an express to France, with a desire, that some person of more weight with the king might be sent. Upon which sir William Davenant came over, with a letter of credit from the queen, beseeching him to part with the church for his peace and security. When sir William had delivered the letter, he ventured to support it with some arguments of his own, and told his majesty, in a most humble manner, that it was the advice of lord Culpeper, Jermyn, and of all his friends; upon which the king was so transported with indignation, that he forbid him his presence. When therefore the ten days for considering the propositions were expired, instead of consenting, his majesty gave the commissioners his answer in a paper, directed to the speaker of the house of peers, to this effect, "that the propositions contained so great alterations both in church and state, that his majesty could not give a particular and positive answer to them:" but, after some few concessions hereafter to be mentioned, "he proposes to come to London, or any of his houses thereabouts, and enter upon a personal treaty with both houses; and he conjures them, as Christians and subjects, and as men that desire to leave a good name behind them, to accept of this proposal, that the unhappy distractions of the nation may be peaceably settled†."

When this answer was reported to the house, August 12, it was resolved, to settle accounts with the Scots, and to receive the king into their own custody; but in the meantime his majesty attempted to bring that nation over to his interest, by playing the Independents against them, and telling them, the only way to destroy the sectarians was, to join with the episcopalians, and admit of the establishment of both religions‡. "I do by no means persuade you (says the king) to do any thing contrary to your covenant, but I desire you to consider whether it be not a great step towards your reformation (which I take to be the chief end of your covenant), that the presbyterial government be legally settled. It is true, I desire that the liberty of my own conscience, and those who are of the same opinion with myself, may be preserved, which I confess, does not as yet totally take away episcopal government. But then consider withal, that this will take away all the superstitious sects and heresies of the Papists and Independents, to which you are no less obliged by your covenant, than to the taking away of episcopacy. And this that I demand

\* Clarendon, vol. 3. p. 29, 31, 32.

† Dr. Grey gives the king's answer at length from MS. collections of Dr. Philip Williams, president of St. John's College, Cambridge.—Ed.

‡ Duke of Hamilton's Memoirs, p. 286, 287.



is likely to be but temporary ; for if it be so clear as you believe, that episcopacy is unlawful, I doubt not but God will so enlighten my eyes that I shall soon perceive it, and then I promise to concur with you fully in matters of religion ; but I am sure you cannot imagine, that there are any hopes of converting or silencing the Independent party, which undoubtedly will get a toleration in religion from the parliament of England, unless you join with me in that way that I have proposed for the establishing of my crown ; or at least, that you do not press me to do this (which is yet against my conscience) till I may do it without sinning, which, as I am confident none of you will persuade me to do, so I hope you have so much charity as not to put things to such a desperate issue as to hazard the loss of all, because for the present you cannot have full satisfaction from me in point of religion, not considering, that besides the other mischiefs that may happen, it will infallibly set up the innumerable sects of the Independents, nothing being more against your covenant than the suffering those schisms to increase\*." His majesty then added, " that he should be content to restrain episcopal government to the diocesses of Oxford, Winchester, Bath and Wells, and Exeter, leaving all the rest of England fully to the presbyterial discipline, with the strictest clauses that could be thought of in an act of parliament against the Papists and Independents." But the Scots would abate nothing in the articles of religion ; even for the overthrow of the sectaries. Duke Hamilton left no methods unattempted to persuade his majesty to comply, but without effect †.

When the king could not gain the commissioners, he applied by his friends to the kirk, who laid his proposals before the general assembly, with his offer to make any declaration they should desire against the Independents, and that really, without any reserve or equivocation ; but the kirk were as peremptory as the commissioners ; they said, the king's heart was not with them, nor could they depend upon his promises any longer than it was not in his power to set them aside ‡.

In the meantime the English parliament were debating with the Scots commissioners at London, the right of disposing of the king's person, the latter claiming an equal right to him with the former ; and the parliament voted that the kingdom of Scotland had no joint right to dispose of the person of the king, in the kingdom of England. To which the Scots would hardly have submitted, had it not been for fear of engaging in a new war, and losing all their arrears. His majesty would willingly have retired into Scotland, but the clergy of that nation would not receive him, as appears by their solemn warning to all estates and degrees of persons throughout the land, dated December 17, 1646, in which they say, " So long as his majesty does not approve in his heart, and seal with his hand, the league and covenant, we cannot but

\* Rushworth, p. 328.

† Duke of Hamilton's Memoirs, p. 288.

‡ Hamilton's Memoirs, p. 298. Rushworth, p. 380.

apprehend, that according to his former principles he will walk contrary to it, and study to draw us into the violation of it. Besides, our receiving his majesty into Scotland at this time, will confirm the suspicion of the English nation, of our underhand dealing with him before he came into our army. Nor do we see how it is consistent with our covenant and treaties, but on the contrary, it would involve us in the guilt of perjury, and expose us to the hazard of a bloody war. We are bound by our covenant to defend the king's person and authority, in the defence and preservation of the true religion, and the liberties of the kingdom, and so far as his majesty is for these we will be for him; but if his majesty will not satisfy the just desires of his people, both nations are engaged to pursue the ends thereof, against all lets and impediments; we therefore desire, that those who are intrusted with the public affairs of this kingdom, would still insist upon his majesty's settling religion according to the covenant, as the only means of preserving himself, his crown, and posterity." Upon reading this admonition of the kirk, the Scots parliament resolved, that his majesty be desired to grant the whole propositions; that in case of refusal, the kingdom should be secured without him. They declared farther, that the kingdom of Scotland could not lawfully engage for the king, as long as he refused to take the covenant, and give them satisfaction in point of religion\*. Nor would they admit him to come into Scotland, unless he gave a satisfactory answer to the proposition lately presented to him in the name of both kingdoms.

The resolutions above mentioned were not communicated in form to the king, till the beginning of January, when the Scots commissioners pressing him again in the most humble and importunate manner to give them satisfaction, at least in the point of religion, his majesty remained immovable: which being reported back to Edinburgh, the question was put in that parliament, whether they should leave the king in England, to his two houses of parliament? and it was carried in the affirmative. January 16, a declaration was published in the name of the whole kingdom of Scotland, wherein they say, "that when his majesty came to their army before Newark, he professed that he absolutely resolved to comply with his parliaments in every thing, for settling of truth and peace; in confidence whereof the committees of the kingdom of Scotland declared to himself, and to the kingdom of England, that they received him into their protection only upon these terms, since which time propositions of peace have been presented to his majesty for the royal assent, with earnest supplications to the same purpose, but without effect. The parliament of Scotland therefore being now to recall their army out of England, considering that his majesty in several messages has desired to be near his two houses of parliament, and that the

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\* Rushworth, p. 392.



parliament has appointed his majesty to reside at Holmby-house with safety to his royal person; and in regard of his majesty's not giving a satisfactory answer to the propositions for peace; and from a desire to preserve a right understanding between the two kingdoms, and for preventing new troubles, the states of parliament of the kingdom of Scotland do declare their concurrence for the king's majesty's going to Holmby-house, to remain there till he give satisfaction about the propositions for peace: and that, in the meantime, there be no harm, prejudice, injury or violence, done to his royal person; that there be no change of government; and, that his posterity be no way prejudiced in their lawful succession to the crown and government of these kingdoms\*."

While the parliament and kirk of Scotland were debating the king's proposals, his majesty wrote to the parliament of England in the most pressing terms, for a personal treaty at London; "It is your king (says he in his letter of December 10) that desires to be heard, the which, if refused to a subject by a king, he would be thought a tyrant; wherefore I conjure you, as you would shew yourselves really what you profess, good Christians and good subjects, that you accept this offer." But the houses were afraid to trust his majesty in London, and therefore appointed commissioners to receive him from the Scots†, and convoy him to Holmby-house in Northamptonshire, where he arrived February 6, 1646—7. The sum of 200,000*l.*, being half the arrears due to the Scots army, having been paid them by agreement before they marched out of Newcastle, it has been commonly said, They sold their king. An unjust and malicious aspersion! It ought to be considered, that the money was their due before the king delivered himself into their hands; for that in settling the accounts between the two nations, his majesty's name was not mentioned: ‡ that it was impossible to detain him without a war with England, and that the officers of the army durst not carry the king to Edinburgh, because both parliament and kirk had declared against receiving him§.

\* Rushworth, p. 396.

† The king happened to be playing at chess, when he was informed of the resolution of the Scots nation to deliver him up: but, such command of temper did he enjoy, he continued his game without interruption, and none of the bystanders could perceive that the letter, which he perused, had brought him news of any consequence. He admitted the English commissioners, who, some days after, came to take him into custody, to kiss his hands: and received them with the same grace and cheerfulness, as if they had travelled on no other errand but to pay court to him. Hume's History of England, vol. 7. 8vo. 1763. p. 81, 82.—Ed.

‡ Vide Rapin, vol. 2. p. 325, folio edit.

§ Mr. Neal is supported in his account of this transaction by general Ludlow, who farther says, that the condition on which the money was paid, was to deliver up (not the king, but) Berwick, Newcastle, and Carlisle, to the parliament: that it was far from truth, that this was the price of the king, for the parliament freely granted to the Scots, that they might carry him, if they pleased, to Edinburgh, but they refused it: and that it was the king's desire to be removed into the southern parts of England. The Scots nation, however, underwent, and still undergo, the

But how amazing was his majesty's conduct! What cross and inconsistent proposals did he make at this time! While he was treating with the Scots, and offering to concur in the severest measures against the Independents, he was listening to the offers of those very Independents to set him upon the throne, without taking the covenant, or renouncing the liturgy of the church, provided they might secure a toleration for themselves. This agreeing with the king's inclinations, had too great a hearing from him, says bishop Burnet, till Lauderdale wrote from London, "that he was infallibly sure, they designed the destruction of monarchy, and the ruin of the king and his posterity; but that if he would consent to the propositions, all would be well, in spite of the devil and the Independents too\*." If his majesty had in good earnest fallen in with the overtures of the army at this time, I am of opinion they would have set him upon the throne, without the shackles of the Scots covenant.

While the king was at Holmby-house, he was attended with great respect†, and suffered to divert himself at bowls with gentlemen in the neighbouring villages, under a proper guard. The parliament appointed two of their clergy, viz. Mr. Caryl and Mr. Marshal, to preach in the chapel, morning and afternoon on the Lord's day, and perform the devotions of the chapel on week-days, but his majesty never gave his attendance‡. He spent his Sundays in private; and though they waited at table he would not so much as admit them to ask a blessing.

Before the king removed from Newcastle, the parliament put

reproach of selling their king, and bargaining their prince for money. It has been argued that the parliament would never have parted with so considerable a sum, had they not been previously assured of receiving the king. It is a very evident fact, that while the Scots were demanding the arrears due to them, another point of treaty between them and the parliament, if it were not the explicit and avowed condition of complying with that requisition, was the delivering up the king. The unhappy monarch was considered and treated as the prisoner of those to whom he fled for protection. Instead of declining to receive him, or afterward permitting him to take his own steps, they retained him, and disposed of him as a captive, as their interest or policy dictated. Was honour or justice in this case consulted? Alas! they are seldom consulted by political parties. A letter from general Ludlow to Dr. Hollingworth, 4to, 1662. p. 67. Mrs. Macaulay's History, vol. 4. p. 271, 8vo. Hume's History of England, vol. 7. 8vo. 1763, p. 79—81; and White-locke's Memorials, p. 240.—Dr. Grey has bestowed thirteen pages on this point, chiefly to shew, that 400,000*l.* could not be due as arrears to the Scots, and to advance against them the charge of selling the king. He informs us, that the 200,000*l.* immediately paid to them was borrowed of the Goldsmiths' company. To Mr. Neal's reflection on the imputation cast on the Scots of selling their king, that it is an unjust and malicious aspersion, bishop Warburton retorts, "The historian, before he said this, should have seen whether he could answer these two questions in the affirmative,—Would the English have paid the arrears without the person of the king?—Would the Scots have given up the king, if they could have had the arrears without?"—Ed.

\* Hamilton's Memoirs, p. 288.

† But his situation here, independently of confinement, was made unpleasant to him, as his old servants were dismissed, and he was not allowed the attendance of his own chaplains. His majesty remonstrated on this last circumstance in a letter to the house of peers, but without effect. Clarendon, vol. 3. p. 39.—Ed.

‡ Clarendon, vol. 3. p. 38.



the finishing hand to the destruction of the hierarchy, by abolishing the very names and titles of archbishops, bishops, &c. and alienating their revenues for payment of the public debts. This was done by two ordinances, bearing date October 9 and November 16, 1646, entitled, "Ordinances for abolishing archbishops and bishops, and providing for the payment of the just and necessary debts of the kingdom, into which the same has been drawn by a war, mainly promoted by and in favour of the said archbishops, bishops, and other their adherents and dependants. The ordinance appoints, "that the name, title, style, and dignity, of archbishop of Canterbury, archbishop of York, bishop of Winchester, bishop of Durham, and all other bishops of any bishopricks within the kingdom of England, and dominion of Wales, be, from and after September 5, 1646, wholly abolished and taken away; and all and every person and persons are to be thenceforth disabled to hold the place, function, or style, of archbishop or bishop of any church, see, or diocess, now established or erected within the kingdom of England, dominion of Wales, or town of Berwick-on-Tweed; or to use, or put in use, any archiepiscopal or episcopal jurisdiction or authority, by force of any letters patent from the crown, made, or to be made, or by any other authority whatsoever, any law, statute, usage, or custom, to the contrary notwithstanding\*."

By the ordinance of November 16, it is farther ordained, "that all counties palatine, honours, manors, lordships, styles, circuits, precincts, castles, granges, messuages, mills, lands, tenements, meadows, pastures, parsonages, appropriate tithes, oblations, obventions, pensions, portions of tithes, vicarages, churches, chapels, advowsons, donations, nominations, rights of patronage and presentations, parks, woods, rents, reversions, services, annuities, franchises, liberties, privileges, immunities, rights of action and of entry, interests, titles of entry, conditions, commons, court-leets and court-barons, and all other possessions and hereditaments whatsoever, which now are, or within ten years before the beginning of the present parliament were, belonging to the said archbishops and bishops, archbishoprics or bishoprics, or any of them, together with all chattels, deeds, books, accompts, rolls, and other writings and evidences whatsoever, concerning the premises, which did belong to any of the said archbishops, bishops, &c.† are vested and settled, adjudged and deemed to be, in the real and actual possession and seisin of the twenty-four trustees mentioned in the ordinance, their heirs and assigns, upon trust that they shall dispose of the same, and the rents and profits thereof, as both houses of parliament shall order and appoint, i. e. for payment of the public debts, and other necessary charges occasioned by the war, promoted chiefly by and in favour of the said hierarchy, saving and excepting all tithes appropriate, obla-

\* Husband's Collection, p. 922.

† Rushworth, p. 377.

tions, obventions, and portions of tithes, &c. belonging to the said archbishops, bishops, and others of the said hierarchy; all which, together with 30,000*l.* yearly rent belonging to the crown, they reserve for the maintenance of preaching ministers. The trustees are not to avoid any lease made for three lives, or twenty-one years, provided the said lease or leases were not obtained since the month of December 1641. They are empowered to appoint proper officers to survey, and take a particular estimate of, all the bishops' lands, to receive the rents and profits of them, and to make a sufficient title to such as shall purchase them, by order of parliament\*." By virtue of this ordinance the trustees were empowered to pay, or cause to be paid, to the assembly of divines, their constant salary allowed them by a former order of parliament, with all their arrears, out of the rents, revenues, and profits, belonging to the late archbishop of Canterbury, till such time as the said lands and revenues shall happen to be sold. These church-lands were at first mortgaged as a security for several large sums of money, which the parliament borrowed at eight per cent. interest. Several members of parliament, and officers of the army, afterward purchased them at low rates, but the bargain proved dear enough in the end. And surely it was wrong to set them to sale; the lands having been originally given for the service of religion, ought to have been continued for such uses, and the substance of the donors' intentions pursued; unless it appeared that too great a proportion of the national property had been settled in mortmain. But herein they followed the ill examples of the kings and queens of England at the Reformation.

The Presbyterians were now in the height of their power, the hierarchy being destroyed, the king their prisoner, and the best, if not all, the livings in the kingdom distributed among them; yet still they were dissatisfied for want of the top-stone to their new building, which was church-power; the pulpits and conversation of the city were filled with invectives against the men in power, because they would not leave the church independent on the state; the Presbyterian ministers were very troublesome, the parliament being teased every week with church-grievances of one kind or another; December 19, the lord-mayor and his brethren went up to Westminster with a representation of some of them, and a petition for redress. The grievances were,

1. "The contempt that began to be put upon the covenant, some refusing to take it, and others declaiming loudly against it; they therefore pray, that it may be imposed upon the whole nation, under such penalties as the houses shall think fit; and that such as refuse it be disqualified from all places of profit and trust.

2. "The growth of heresy and schism; the pulpits having been often usurped by preaching soldiers, who infected all places

\* Scobel, p. 100. 102, 103.



where they came with dangerous errors ; they therefore pray, that all such persons may be forbid to preach as have not taken the covenant, and been regularly ordained, and that all separate congregations, the very nurseries of damnable heretics, may be suppressed ; that an ordinance be made for the exemplary punishment of heretics and schismatics, and that all godly and orthodox ministers may have a competent maintenance, many pulpits being vacant of a settled minister for want of it ; and here (say they) we would lay the stress of our desires, and the urgency of our affections." They complain farther, of the "undue practices of country committees, of the threatening power of the army, and of some breaches in the constitution ; all which they desire may be redressed, and that his majesty's royal person and authority may be preserved and defended, together with the liberties of the kingdom, according to the covenant."

To satisfy the petitioners, the house of commons published a declaration December 31, "wherein they express their dislike of lay-preachers, and their resolution to proceed against all such as shall take upon them to preach, or expound the Scriptures in any church or chapel, or any other public place, except they be ordained either here, or in some other reformed churches ; likewise against all such ministers and others, as shall publish, or maintain by preaching, writing, printing, or any other way, anything against, or in derogation of, the church-government which is now established by authority of parliament ; and also against all and every person or persons who shall willingly or purposely interrupt or disturb a preacher in the public exercise of his function, and they command all officers of the peace, and officers of the army, to take notice of this declaration, and by all lawful means to prevent offences of this kind, to apprehend offenders, that a course may be speedily taken for a due punishment to be inflicted upon them." The house of lords published an order, bearing date December 22, requiring the headboroughs and constables, in the several parishes of England and Wales, to arrest the bodies of such persons as shall disturb any minister in holy orders, in the exercise of his public calling, by speech or action, and carry them before some justice of peace, who is required to put the laws in execution against them. February 4, they published an ordinance to prevent the growth and spreading of errors, heresies, and blasphemies ; but these orders not coming up to their covenant-uniformity, the lord-mayor and common-council presented another petition to the two houses March 17, and appointed a committee to attend the parliament from day to day, till their grievances were redressed, of which we shall hear more under the next year.

We have already accounted for the unhappy rise of the sectarians in the army when it was new-modelled, who were now grown so extravagant as to call for some proper restraint, the mischief being spread not only over the whole country, but into the

city of London itself: it was first pleaded in excuse for this practise, that a gifted brother had better preach and pray to the people than nobody; but now learning, good sense, and the rational interpretation of Scripture, began to be cried down, and every bold pretender to inspiration was preferred to the most grave and sober divines of the age; some advanced themselves into the rank of prophets, and others uttered all such crude and undigested absurdities as came first into their minds, calling them the dictates of the Spirit within them; by which the public peace was frequently disturbed, and great numbers of ignorant people led into the belief of the most dangerous errors. The assembly of divines did what they could to stand in the gap, by writing against them, and publishing a Detestation of the Errors of the Times. The parliament also appointed a fast on that account February 4, 1645-6, and many books were published against the Antinomians, Anabaptists, Seekers, &c. not forgetting the Independents, whose insisting upon a toleration was reckoned the inlet to all the rest.

The most furious writer against the sectaries was Mr. Thomas Edwards\*, minister of Christ-church, London, a zealous Presbyterian, who became remarkable by a book entitled *Gangræna*, or a catalogue of many of the errors, heresies, blasphemies, and pernicious practices, of this time; in the epistle dedicatory he calls upon the higher powers to rain down all their vengeance upon these deluded people, in the following language: "You have done worthily against Papists, prelates, and scandalous ministers, in casting down images, altars, crucifixes, throwing out ceremonies, &c. but what have you done (says he) against heresy, schism, disorder, against Seekers, Anabaptists, Antinomians, Brownists, Libertines, and other sects; you have made a reformation, but with the reformation have we not worse things come upon us than we had before, as denying the Scriptures, pleading for toleration of all religions and worships; yea, for blasphemy, and denying there is a God. You have put down the Common Prayer, and there are many among us that are for putting down the Scriptures. You have broken down the images of the Trinity, and we have those who oppose the Trinity. You have cast out bishops and their officers, and we have many that cast down to the ground all ministers. You have cast out ceremonies in the sacraments, as the cross, kneeling at the Lord's supper, and many cast out the sacraments themselves. You have put down saints' days, and many make nothing of the Lord's day. You have taken away the superfluous maintenance of bishops and deans, and we have many that cry down the necessary maintenance of ministers. In the bishops' days we had singing of psalms taken away in some

\* He was originally of the university of Cambridge, but in 1623 was incorporated at Oxford. At the beginning of the civil wars, he joined the parliament, embarked all that was dear to him in the cause of the people, whom he excited to prosecute the war by the strain of his prayers and sermons, and advanced money to carry it on. Wood's *Athenæ Oxonienses*, vol. 1. 846.—Ed.



places, conceived prayer, preaching, and in their room anthems, stunted forms, and reading, brought in, and now singing of psalms is spoken against, public prayer questioned, and all ministerial preaching denied. In the bishops' time Popish innovations were introduced, as bowing at altars, &c. and now we have anointing the sick with oil; then we had bishoping of children, now we have bishoping of men and women, by laying on of hands. In the bishops' days we had the fourth commandment taken away, and now all ten are taken away by the Antinomians. The worst of the prelates held many sound doctrines, and had many commendable practices, but many of our sectaries deny all principles of religion, are enemies to all holy duties, order, learning, overthrowing all, being whirligig spirits, and the great opinion of a universal toleration tends to the laying all waste, and dissolution of all religion and good manners. Now (says our author) a connivance at, and suffering without punishment, such false doctrines and disorders, provokes God to send judgments. A toleration doth eclipse the glory of the most excellent reformation, and makes these sins to be the sins of the legislature that countenances them. A magistrate should use coercive power to punish and suppress evils, as appears from the example of Eli. Now, right honourable, though you do not own these heresies, but have put out several orders against them, yet there is a strange unheard-of suffering of them, such a one as there hardly ever was the like, under any orthodox Christian magistrate and state. Many sectaries are countenanced, and employed in places of trust: there has not been any exemplary restraint of the sectaries, by virtue of any of your ordinances, but they are slighted and scorned; preaching of laymen was never more in request than since your ordinance against it; presbyterial government never more preached and printed against, than since it was established. Our dear brethren of Scotland stand amazed, and are astonished at these things; the orthodox ministers and people both in city and country are grieved and discouraged, and the common enemy scorns and blasphemes; it is high time therefore for your honours to suffer no longer these sects and schisms, but to do something worthy of a parliament against them, and God will be with you."

After this dedication there are one hundred and seventy-six erroneous passages collected from sundry pamphlets printed about this time, and from the reports of friends in all parts of the kingdom, to whom he sent for materials to fill up his book; however, the heretics are at length reduced under sixteen general heads.

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|-----------------|----------------|-----------------|----------------------|
| 1. Independents | 5. Anabaptists | 9. Enthusiasts  | 13. Arians           |
| 2. Brownists    | 6. Arminians   | 10. Seekers     | 14. Antitrinitarians |
| 3. Millenaries  | 7. Libertines  | 11. Perfectists | 15. Antiscripturists |
| 4. Antinomians  | 8. Familists   | 12. Socinians   | 16. Sceptics.        |

The industrious writer might have enlarged his catalogue with Papists and prelates, Deists, Ranters, Behemenists, &c. &c., or if he had pleased, a less number might have served his turn, for very

few of these sectaries were collected into societies; but his business was to blacken the adversaries of Presbyterian uniformity, that the parliament might crush them by sanguinary methods. Among his heresies there are some which do not deserve that name; and among his errors, some that never grew into a sect, but fell occasionally from the pen or lips of some wild enthusiast, and died with the author. The Independents are put at the head of the sectaries, because they were for toleration of all Christians who agreed in the fundamentals of religion; to prove this, which they never denied, he has collected several passages out of their public prayers; one Independent minister (says he) prayed that presbytery might be removed, and the kingdom of Christ set up; another prayed two or three times, that the parliament might give liberty to tender consciences; another thanked God for the liberty of conscience granted in America; and said, Why, Lord, not in England? Another prayed, Since God had delivered both Presbyterians and Independents from prelatical bondage, that the former might not be guilty of bringing their brethren into bondage. The reader will judge of the spirit of this writer, by the foregoing specimen of his performance, which I should not have thought worth remembering, if our church-writers had not reported the state of religion from his writings. "I knew Mr. Edwards very well (says Fuller \*), my contemporary in Queen's college, who often was transported beyond due bounds with the keenness and eagerness of his spirit, and therefore I have just cause in some things to suspect him." He adds farther, "I am most credibly informed, by such who I am confident will not abuse me and posterity therein, that Mr. Herbert Palmer (an anti-Independent to the height), being convinced that Mr. Edwards had printed some falsehoods in one sheet of his *Gangræna*, proffered to have the sheet reprinted at his own charge, but some accident obstructed it." However, our author went on publishing a second and third *Gangræna*, full of most bitter invectives and reproaches, till his own friends were nauseated with his performances.

The reverend Mr. Baxter, who attended the victorious army, mentions the Independents, Anabaptists, and Antimonians, as the chief separatists, to whom he adds some other names, as Seekers, Ranters, Behemenists, Vanists, all which died in their infancy, or united in the people afterward known by the name of Quakers; but when he went into the army he found "almost one half of the religious party among them orthodox, or but very lightly touched with the above-mentioned mistakes, and almost another half honest men, that had stepped farther into the contending way than they ought, but with a little help might be recovered; a few fiery, self-conceited men among them, kindled the rest, and made all the noise and bustle; for the greatest part of the common soldiers were ignorant men, and of little religion; these would do any

\* Appeal, p. 58.



thing to please their officers, and were instruments for the seducers in their great work, which was to cry down the covenant, to vilify parish-ministers, and especially the Scots and the Presbyterians.\* Mr. Baxter observes\*, that "these fiery hot men were hatched among the old separatists; that they were fierce with pride, and conceit, and uncharitableness, but many of the honest soldiers, who were only tainted with some doubts about liberty of conscience, and independency, would discourse of the points of sanctification and Christian experience very savourily; the seducers above mentioned were great preachers, and fierce disputants, but of no settled principles of religion; some were of levelling principles as to the state, but all were agreed, that the civil magistrate had nothing to do in matters of religion, any farther than to keep the peace, and protect the church-liberties." The same writer adds, "To speak impartially, some of the Presbyterian ministers frightened the sectaries into this fury, by the unpeaceableness and impatience of their minds; they ran from libertinism into the other extreme, and were so little sensible of their own infirmity, that they would not have them tolerated, who were not only tolerable, but worthy instruments and members in the churches." Lord Clarendon says, that Cromwell and his officers preached and prayed publicly with their troops, and admitted few or no chaplains in the army, except such as bitterly inveighed against the Presbyterian government, as more tyrannical than episcopacy; and that the common soldiers, as well as the officers, did not only pray and preach themselves, but went up into the pulpits in all churches, and preached to the people, who quickly became inspired with the same spirit; women as well as men taking upon them to pray and preach; which made as great a noise and confusion in all opinions concerning religion, as there was in the civil government of the state.

Bishop Bramhall, in one of his letters to archbishop Usher, writes, that, "the Papists took advantage of these confusions, and sent over above one hundred of their clergy, that had been educated in France, Italy, and Spain, by order from Rome. In these nurseries the scholars were taught several handicraft trades and callings, according to their ingenuities, besides their functions in the church; they have many yet at Paris (says the bishop) fitting up to be sent over, who twice in the week oppose one the other; one pretending presbytery, the other independency, some anabaptism, and others contrary tenets. The hundred that went over this year (according to the bishop) were most of them soldiers in the parliament-army†." But Mr. Baxter‡, after a most diligent inquiry, declares, "that he could not find them out;" which renders the bishop's account suspected. "The most that I could suspect for Papists among Cromwell's soldiers (says he) were but a few that began as strangers among the common soldiers, and by

\* Baxter's Life, p. 53. † Parr's Life of Usher, p. 611. ‡ Baxter's Life, p. 78.

degrees rose up to some inferior officers, but none of the superior officers seemed such." The body of the army had a vast aversion to the Papists, and the parliament took all occasions of treating them with rigour; for, June 30, Morgan, a priest, was drawn hanged, and quartered, for going out of the kingdom to receive orders from Rome, and then returning again. However, without all question, both church and state were in the utmost disorder and confusion at the close of this year [1646].

Among the illustrious men of the parliament's side who died about this time, was Robert D'Evereux earl of Essex, son of the famous favourite of queen Elizabeth; he was educated to arms in the Netherlands, and afterward served the king and queen of Bohemia for the recovery of the Palatinate. King Charles I. made him lieutenant of his army in his expedition against the Scots, and lord-chamberlain of the household; but the earl, being unwilling to go into the arbitrary measures of the court in favour of Popery and slavery, engaged on the side of the parliament, and accepted of the commission of captain-general of their forces, for which the king proclaimed him a traitor. He was a person of great honour, and served the parliament with fidelity; but being of opinion, that the war should be ended rather by treaty than conquest, did not always push his successes as far as he might. Upon the new-modelling of the army, the cautious general was dismissed with an honourable pension for his past services; after which he retired to his house at Eltham in Kent, where he died of a lethargy, occasioned by overheating himself in the chase of a stag in Windsor-forest, September 14, 1646, in the fifty-fifth year of his age\*. He was buried with great funereal solemnity in Westminster-abbey, October 22, at the public expense, both houses of parliament attending the procession. His effigies was afterward erected in Westminster-hall, but some of the king's party found means in the night to cut off the head, and break the sword, arms, and escutcheons. Mr. Vines preached his funeral sermon, and gave him a very high encomium, though lord Clarendon has stained his character for taking part with the parliament, which he says was owing to his pride and vanity. The earl's countenance appeared stern and solemn, but to his familiar acquaintance his behaviour was mild and affable. Upon the whole, he was a truly great and excellent person; his death was an unspeakable loss to the king, for he was the only nobleman perhaps in the kingdom who had interest enough with both parties, to have put an end to the civil war, at the very time when Providence called him out of the world.

Among the remarkable divines may be reckoned the reverend and learned Mr. Thomas Colman, rector of St. Peter's church in Cornhill: he was born at Oxford, and entered in Magdalen-college in the seventeenth year of his age; he afterward became so

\* Ludlow, p. 186, or 4to. edition, 1771, p. 79.



perfect a master of the Hebrew language, that he was commonly called Rabbi Colman. In the beginning of the civil war he left his rectory of Blyton in Lincolnshire, being persecuted from thence by the cavaliers. Upon his coming to London, he was preferred to the rectory of St. Peter's Cornhill, and made one of the assembly of divines. Mr. Wood says, he behaved modestly and learnedly in the assembly; and Mr. Fuller gives him the character of a modest and learned divine; he was equally an enemy to presbytery and prelacy, being of Erastian principles; he fell sick while the assembly was debating the *jus divinum* of presbytery; and when they sent some of their members to visit him, he desired they would not come to an absolute determination till they heard what he had to offer upon the question; but his distemper increasing he died in a few days, and the whole assembly did him the honour to attend his funeral in a body March 30, 1646\*.

About the middle of July died the learned doctor William Twisse, vicar of Newbury, and prolocutor of the assembly of divines; he was born at Speenham-Land, near Newbury in Berkshire; his father was a substantial clothier in that town, and educated his son at Winchester-school, from whence he was translated to New-college in Oxford, of which he was fellow; here he employed himself in the study of divinity with the closest application, for sixteen years together. In the year 1604, he proceeded master of arts; about the same time he entered into holy orders, and became a diligent and frequent preacher; he was admired by the universities for his subtle wit, exact judgment, exemplary life and conversation, and many other valuable qualities which became a man of his function. In the year 1614, he proceeded doctor of divinity, after which he travelled into Germany, and became chaplain to the princess palatine, daughter of king James I. After his return to England, he was made vicar of Newbury, where he gained a vast reputation by his useful preaching and exemplary living. His most able adversaries have confessed, that there was nothing then extant more accurate and full, touching the Arminian controversy, than what he published: and hardly any who have written upon this argument since the publishing Dr. Twisse's works, but have made an honourable mention of him†. The doctor was offered the prebend of Winchester, and several preferments in the church of England; the states of Friesland invited him to the professorship of divinity in their university of Franeker, but he refused all. In the beginning of the civil war, he was forced from his living at Newbury by the cavaliers, and upon convening the assembly of divines, was appointed by parliament their prolocutor, in which station he continued to his death, which happened after a lingering indisposition, about the 20th of July, 1646, in the seventy-first year of his age. He died in very necessitous circumstances, having lost all his substance by the

\* Church History, b. 9. p. 213. Wood's Athen. Oxon. vol. 2. p. 62.

† Athenæ Oxon. vol. 2. p. 40, 41.

king's soldiers, insomuch that when some of the assembly were deputed to visit him in his sickness, they reported, that he was very sick, and in great straits. He was allowed to be a person of extensive knowledge in school-divinity; a subtle disputant\*, and withal, a modest, humble, and religious person. He was buried, at the request of the assembly, in the collegiate church of St. Peter's Westminster, near the upper end of the poor folks' table, next the vestry, July 24, and was attended by the whole assembly of divines: there his body rested till the restoration of king Charles II. when his bones were dug up by order of council, September 14, 1661, and thrown with several others into a hole in the church-yard of St. Margaret's, before the back-door of the lodgings of one of the prebendaries.

Towards the end of the year died the reverend and pious Mr. Jeremiah Burroughs; he was educated in Cambridge, but obliged to quit the university and kingdom for nonconformity in the late times†. Upon his leaving England, he was chosen minister of an English congregation at Rotterdam, with which he continued till the year 1642, when he returned to England, and became preacher to two of the largest and most numerous congregations about London, viz. Stepney and Cripplegate. He was one of the dissenting brethren in the assembly, but was a divine of great candour, modesty, and charity. He never gathered a separate congregation, nor accepted of a parochial living, exhausting his strength in continual preaching, and other services of the church. He was an excellent scholar, a good expositor, a popular preacher; he published several treatises while he lived, and his friends have published many others since his death, which have met with a general acceptance. It was said, the divisions of the times broke his heart, because one of the last subjects he preached upon, and printed, was his *Irenicum*, or an attempt to heal divisions among Christians. Mr. Baxter used to say, if all the Presbyterians had been like Mr. Marshal, and the Independents like Mr. Burroughs, their differences might easily have been compromised. He died of a consumptive illness November 14, 1646, about the forty-seventh year of his age.

\* He distinguished himself by his writings against Arminianism. The most learned of that party confessed that there was nothing more accurate, exact, and full, on that controversy, than his works. His plain preaching was esteemed good: his solid disputations were accounted, by some, better: and his pious way of living was reckoned, by others, especially the Puritans, best of all. Wood's *Athenæ Oxon.* vol. 2. p. 40.—Ed.

† He for some time sheltered himself under the hospitable roof of the earl of Warwick. Granger's *History of England*, vol. 2. p. 193. 8vo. This nobleman was a great patron of the Puritan divines: and not contented with hearing long sermons in their congregation only, would have them repeated at his own house. *Ibid.* p. 116.—Ed.



## CHAPTER VIII.

PROCEEDINGS OF THE ASSEMBLY UPON THEIR CONFESSION OF FAITH AND CATECHISMS. PROVINCIAL ASSEMBLIES OF LONDON. THE KING TAKEN OUT OF THE PARLIAMENT'S CUSTODY, AND CONVEYED TO THE ARMY. CONTROVERSY BETWEEN THE PARLIAMENT AND ARMY. HIS MAJESTY'S CONDUCT. HE ESCAPES FROM HAMPTON-COURT, AND IS CONFINED IN THE ISLE OF WIGHT.

THE reverend Mr. Charles Herle succeeded to the prolocutor's chair by order of parliament July 22, 1646, in the room of the late Dr. Twisse, when the discipline of the church being pretty well settled, it was moved to finish their confession of faith. The English divines would have been content with revising and explaining the thirty-nine articles of the church of England, but the Scots insisting on a system of their own, a committee was appointed to prepare materials for this purpose May 9, 1645; their names were, Dr. Gouge, Dr. Hoyle, Mr. Herle, Gataker, Tuckney, Reynolds, and Vines, with the Scots divines, who having first settled the titles of the several chapters, as they now stand in their confession of faith, in number thirty-two, distributed them, for greater expedition, among several sub-committees, which sat two days every week, and then reported what they had finished to the committee, and so to the assembly, where it was debated paragraph by paragraph. The disputes about discipline had occasioned so many interruptions that it was a year and half before this work was finished, but on November 26, 1646, the prolocutor returned thanks to the several committees, in the name of the assembly, for their great pains in perfecting the work committed to them. At the same time Dr. Burges was appointed to get it transcribed, in order to its being presented to parliament, which was done December 11, by the whole assembly in a body, under the title of "The humble advice of the assembly of divines and others, now, by the authority of parliament, sitting at Westminster, concerning a confession of faith." The house of commons having voted the assembly thanks, desired them to insert the proofs of the several articles in their proper places, and then to print six hundred copies \* and no more, for the perusal of the houses. The reverend Mr. Wilson, Mr. Byfield, and Mr. Gower, were appointed, January 6, to be a committee to collect the Scriptures for confirmation of the several articles; all which, after examination by the assembly,

\* The MSS. to which Mr. Neal refers, though supported by the authority of Rushworth, made a mistake here: for by a copy of the original order, given by Dr. Grey, in his Appendix, No. 71, it appears, that the order of the house was for printing five hundred copies, and no more, of "The humble advice," &c. See also Whitelocke's Memorials, p. 233.—ED.

were inserted in the margin. And then the whole confession was committed once more to a review of the three committees, who made report to the assembly of such farther amendments as they thought necessary; which being agreed to by the house, it was sent to the press, May 11, 1647. Mr. Byfield, by order of the house of commons, delivered to the members the printed copies of their confession of faith, with Scripture notes, signed,

Charles Herle, prolocutor;

Corn. Burges, Herbert Palmer, assessors;

Henry Roborough, Adoniram Byfield, scribes.

And because no more were to be given out at present, every member subscribed his name to the receipt thereof.

The house of commons began their examination of this confession May 19, when they considered the whole first chapter article by article \*; but the disturbances which arose between the parliament and army interrupted their proceeding the whole summer; but when these were quieted they resumed their work, and October 2, ordered a chapter of the confession of faith at least to be debated every Wednesday, by which means they got through the whole before the end of March following; for at a conference with the house of lords March 22, 1647-8, the commons presented them with the confession of faith as passed by their house, with some alterations: they agreed with the assembly in the doctrinal part of the confession; and ordered it to be published, June 20, 1648, for the satisfaction of the foreign churches, under the title of "Articles of religion approved and passed by both houses of parliament, after advice had with an assembly of divines called together by them for that purpose †." The parliament not thinking it proper to call it a confession of faith, because the sections did not begin with the words I confess ‡; nor to annex matters of church-government, about which they were not agreed, to doctrinal articles; those chapters therefore, which relate to discipline, as they now stand in the assembly's confession, were not printed by order of the house, but recommitted, and at last laid aside; as the whole thirtieth chapter, of church censures, and of the power of the keys; the thirty-first chapter, of synods and councils, by whom to be called, and of what force in their decrees and determinations: a great part of the twenty-fourth chapter, of marriage, and divorce, which they referred to the laws of the land; and the fourth paragraph of the twentieth chapter, which determines what opinions and parties disturb the peace of the church, and how such disturbers ought to be proceeded against by the censures of the church, and punished by the civil magistrate. These propositions, in which the very life and soul of presbytery consists, never were approved by the English parliament, nor had the force of a law in this country; but the whole confession, as it came from the assembly, being sent into Scotland, was immediately approved by

\* Rushworth, part 4. vol. 1. p. 482.

† Ibid. p. 1035.

‡ Savoy Conf. Pref. p. 18. 19.



brethren in England, who were zealous for carrying on the work of God, but were now oppressed, under pretence of liberty, when no less was aimed at than tyranny and arbitrary power.

If the parliament had dissolved the assembly at this time, as they ought to have done, they had broke up with honour and reputation, for after this they did little more than examine candidates for the ministry, and squabble about the *jus divinum* of presbytery; the grand consultations concerning public affairs, and practising upon the new establishment, being translated to the provincial assemblies, and weekly meetings of the London clergy at Sion-college\*.

Though the city and suburbs of London had been formed into a province, and divided into twelve classical presbyteries, (as has been remembered under the last year) new complaints were still made to the parliament of certain obstructions to their proceedings; upon which the houses published their resolutions of April 22, 1647, entitled, "Remedies for removing some obstructions in Church-government †;" in which they ordered letters to be sent from the speakers of both houses to the several counties of England, immediately to divide themselves into distinct presbyteries and classes; "they then appoint the elders and ministers of the several classes of the province of London, to hold their provincial assembly in the convocation-house of St. Paul's in London, upon the first Monday in May next ensuing, and to adjourn their

\* Rapin, vol. 2. p. 297, note. That the reader may form a judgment of what was intended to be established in England, it may not be improper to set before him, in one view, the discipline that was then settled in the kirk of Scotland, and subsists at this time. "In Scotland there are eight hundred and ninety parishes, each of which is divided, in proportion to its extent, into particular districts, and every district has its own ruling elders and deacons; the ruling elders are men of the principal quality and interest in the parish, and the deacons are persons of a good character for manners and understanding. A consistory of ministers, elders, and deacons, is called a kirk-session, the lowest ecclesiastical judicatory, which meets once a week, to consider the affairs of the parish. The minister is always moderator, but without a negative; appeals lie from hence to their own presbyteries, which are the next higher judicatories. Scotland is divided into sixty-nine presbyteries, each consisting of from twelve to twenty-four contiguous parishes. The ministers of these parishes, with one ruling elder, chosen half-yearly out of every kirk-session, compose a presbytery. They meet in the head town and choose their moderator, who must be a minister, half-yearly; from hence appeals lie to provincial synods, which are composed of several adjacent presbyteries; two, three, four, to eight—there are fifteen in all. The members are, a minister and a ruling elder out of every parish. These synods meet twice a year, at the principal town of their bounds. They choose a moderator, who is their prolocutor. The acts of the synods are subject to the review of the general assembly, the dernier resort of the kirk of Scotland. It consists of commissioners from presbyteries, royal burghs, and universities. A presbytery of twelve ministers sends two ministers and one ruling elder; a presbytery of between twelve and eighteen sends three, and one ruling elder; of between eighteen and twenty-four sends four, and two ruling elders; of twenty-four sends five, and two elders; every royal burgh sends one elder, and Edinburgh two; every university sends one commissioner, usually a minister. The general assembly meets once a year, in the month of May, and is opened and adjourned, by the king's royal commissioner appointed for that purpose."

† Vol. Pamp. No. 4.

meetings *de die in diem*, and conclude them with adjournment to the next opportunity, according to the ordinance of parliament; but that no act shall pass or be valid in the said province of London, except it be done by the number of thirty-six present, or the major part of them, whereof twelve to be ministers, and twenty-four ruling elders. That in the classical meetings, that which shall be done by the major part present, shall be esteemed the act of the whole; but no act done by any classes shall be valid, unless it be done by the number of fifteen present, or the major part of them, whereof five be ministers and ten ruling elders." So that the number of lay-elders in these assemblies was double to the number of ministers.

According to this appointment the first provincial assembly met at the convocation-house of St. Paul's May 3, consisting of three ministers and six ruling elders from the several classes, in all about one hundred and eight persons; at their first session they chose the reverend Dr. Gouge prolocutor, who opened the assembly with a sermon at his own church in Blackfriars; the reverend Mr. Thomas Manton, Mr. Ralph Robinson, and Mr. Cardel, being appointed scribes. After their return to the convocation-house, a committee of seven ministers and fourteen ruling elders were chosen to consider of the business of the province.

The ministers were,

Rev. Mr. Whitaker  
Dr. Seaman  
Mr. Ed. Calamy

Rev. Mr. Spurstow  
Mr. Tuckney

Rev. Mr. Proffett  
Mr. Jackson.

The ruling elders were,

Sir Edward Popham  
Dr. Clarke  
Dr. Bastwicke  
Dr. Brinley  
Mr. Bence

Mr. Russel  
Mr. Bains  
Mr. Houghton  
Mr. Eyres  
Mr. Vaughan

Mr. Webbe  
Mr. English  
Col. Sowtonstall  
Mr. \_\_\_\_\_

Any six to be a quorum, provided there be two ministers and four ruling elders. Their next meeting to be at Sion-college, May 6, at two in the afternoon.

At the second sessions, it was moved, that application be made to parliament, for liberty to remove the assembly from the convocation-house to some other place; and accordingly they were allowed to adjourn to any place within the city or liberties of London, upon which they agreed upon Sion-college, where they continued to meet twice a week to the end of the year 1659, as appears by a manuscript of the late Mr. Grange, now in Sion-college library.

Before the adjournment from the convocation-house at St. Paul's, they came to the following resolutions; Resolved,

1. That the provincial assembly shall meet twice every week, Mondays and Thursdays.



2. That the moderator for the time being shall begin and end every session with prayer.

3. When a new moderator is to be chosen, the senior minister shall preside.

4. The moderator shall be subject to the censure of the majority of the assembly, in case of complaint, and shall leave the chair while the complaint is debating, and the senior minister shall preside.

5. Every one that speaks shall direct his speech to the moderator, and be uncovered.

6. No man shall speak above three times to the same question at one sessions.

7. When any business is before the assembly relating to any particular member, he shall withdraw, if desired by the majority.

8. After the assembly is set, no member shall withdraw without leave.

9. The names of the members present shall be recorded by the scribes.

Every provincial assembly was dissolved in course at the end of six months, when notice was given to the several classes to return new representatives, but it was an ill omen upon them, that their meetings were interrupted almost the whole summer, by reason of the distraction of the times.

The second provincial assembly met November 8, Dr. Seaman moderator, and presented a petition to the parliament in a body January 11, in which they humbly pray,

1. "That the number of delegates to the provincial assembly may be enlarged, because they found it difficult sometimes to make up the number of thirty-six.

2. "That the houses would quicken the settlement of those classes [in London] that were not yet formed, which they say were four.

3. "That some more effectual encouragement may be provided for a learned ministry.

4. "That effectual provision may be made against clandestine marriages, for the punishment of fornication, adultery, and such uncleanness as is not fit to be named.

5. "That church-censures may be so established, that scandalous persons may be effectually excluded from church-communion."

The parliament received them with respect, and promised to take the matter of the petition into consideration, which was all that was done in the affair.

But besides the provincial assembly, it has been remembered, that the London clergy had their weekly meetings at Sion-college, to consult about church affairs, in one of which they agreed, since they could do no more, to bear their public testimony against the errors of the times; and accordingly they published a treatise,

entitled, "A testimony to the truth of Jesus Christ, and to our solemn league and covenant; as also against the errors, heresies, and blasphemies, of these times, and the toleration of them; to which is added a catalogue of the said errors," &c. dated from Sion-college, December 14, 1647, and subscribed by fifty-eight of the most eminent pastors in London, of whom seventeen were of the assembly of divines. Some time after the ministers of Gloucestershire published their concurrence with the London ministers, subscribed by sixty-four names; the ministers of the province of Lancashire by eighty-four; the Devonshire ministers by eighty-three; and the Somerset ministers by seventy-one.

The London ministers, in their first article, "touching matters of doctrine, declare their assent to the Westminster assembly's confession of faith, and heartily desire it may receive the sanction of authority, as the joint confession of faith of the three kingdoms, in pursuance of the covenant."

Touching heresies and errors, they declare their detestation and abhorrence of these following, among others,

1. "That the Holy Scriptures are not of divine authority, and the only rule of faith \*.

2. "That God hath a bodily shape; that God is the name of a person; and that God is the author of sin, having a greater hand in it than men themselves †.

3. "That there is not a trinity of persons in the Godhead; that the Son is not co-equal with the Father; and that the Holy Ghost is only a ministering spirit ‡.

4. "That God has not elected some to salvation from eternity, and rejected or reprobated others; and, that no man shall perish in hell for Adam's sin §.

5. "That Christ died for the sins of all mankind; that the benefits of his death were intended for all; and, that natural men may do such things as whereunto God has by way of promise annexed grace and acceptation ||.

6. "That man hath a free will and power in himself to repent, to believe, to obey the gospel, and do every thing that God requires to salvation ¶.

7. "That faith is not a supernatural grace, and that faithful actions are the only things by which a man is justified \*\*.

8. "That the moral law is not the rule of life; that believers are as clean from sin as Christ himself; that such have no occasion to pray for pardon of sin; that God sees no sin in his people, nor does he ever chastise them for it ††.

\* L. Clarkson. Biddle, p. 6.

† Crisp, Eaton, Saltmarsh.

‡ Paul Best. Biddle, p. 8.

§ Fulness of God's Love to Mankind, by L. S.

|| Hammond's Pract. Cat. J. Goodwin, p. 149.

¶ J. Goodwin.

\*\* Ham.

†† Randal, John Simpson.



9. "That there is no church, nor sacraments, nor sabbath—the opinions of the Seekers, now called Quakers\*.

10. "That the children of believers ought not to be baptized, nor baptism continued among Christians; that the meaning of the third commandment is, Thou shalt not forswear thyself†.

11. "That persons of the next kindred may marry; and that indisposition, unfitness, or contrariety of mind, arising from natural causes, are a just reason of divorce‡.

12. "That the soul of man is mortal; that it sleeps with the body; and, that there is neither heaven nor hell till the day of judgment§.

The last error they witness against, and in which all agree, is called the "error of toleration||, patronising and promoting all other errors, heresies, and blasphemies, whatsoever, under the grossly abused notion of liberty of conscience;" and here they complain as a very great grievance, "that men should have liberty to worship God in that way and manner as shall appear to them most agreeable to the word of God; and no man be punished or discountenanced by authority for the same; and, that an enforced uniformity of religion throughout a nation or state confounds the civil and religious, and denies the very principles of Christianity and civility¶."

They then bear their testimony to the covenant, and to the divine right of presbytery. They lament the imperfect settlement of their discipline by the parliament, and lay the foundation of all their calamities in the countenancing of a public and general toleration, and conclude thus: "Upon all these considerations, we the ministers of Jesus Christ do hereby testify to our flocks, to all the kingdom, and to the reformed world, our great dislike of prelacy, Erastianism, Brownism, and Independency; and our utter abhorrence of anti-Scripturism, Popery, Arianism, Socinianism, Arminianism, Antinomianism, Anabaptism, Libertinism, and Familism; and that we detest the forementioned toleration, so much pursued and endeavoured in this kingdom, accounting it unlawful and pernicious." What sad work would these divines have made, had the sword of the magistrate been at their disposal\*\*!

\* Saltmarsh, *Smoak in the Temple*, p. 17.

† Tombes.

‡ Saltmarsh. *Ham. Milton*, p. 19.

§ P. 20. *Man's Mortality*, by R. O.

|| Mr. Emlyn justly observes, "that the principle of the admired assembly's larger catechism, under the second commandment, is, that it forbids toleration of all false religion." *Emlyn's Works*, vol. 1. p. 60. of the narrative edition of 1746.—E.D.

¶ *Bloody Tenet*. Five Holland Ministers, p. 22.

\*\* It deserves to be mentioned here, as a fact remarkable in itself, and honourable to the assembly at Westminster, that, notwithstanding the zeal expressed against toleration, the confession of faith it drew up was not made the legal standard of orthodoxy. It was not subscribed by any member of that assembly, except by the prolocutor, assessors, and clerks. Nor till forty years after was a subscription or assent to it required of any layman or minister, as a term of Christian commu-

The principal authors from whom these errors were collected, are mentioned in the margin; two of whom determined to vindicate the citations out of their books: Dr. Hammond published a vindication of three passages in his Practical Catechism, from the censures of the London ministers; in which he very justly complains of the hard names with which the ministers load the opinions they reject, as "abominable errors, damnable heresies, horrid blasphemies, many of which are destructive of the fundamentals of Christianity, and all of them repugnant to the Holy Scriptures, the scandal and offence of the reformed churches abroad, and the unparalleled reproach of this church and nation; and, in a word, the dregs and spawn of those old cursed heresies which have been already condemned." The doctor then recites his three passages: the first concerning universal redemption; the second concerning faith's being the condition of our justification; and the third concerning the interpretation of the third commandment; and avers them all to be true, and agreeable to the doctrine of the church of England. In conclusion the doctor desires this favour, that either the first subscriber, Mr. J. Downham, who licensed his catechism for the press, or else Dr. Gouge or Mr. Gataker, who are foremost in the second rank, or some other persons of learning, Christianity, and candour, would afford him their patience, personally and by fair discourse, or any other Christian way, to debate the truth of these assertions, for which he will wait their leisure. Dated from Oxford, January 24, 1647—8, but nobody thought fit to accept the challenge.

Mr. John Goodwin was a learned divine, and a smart disputant, but of a peculiar mould, being a republican, an Independent, and a thorough Arminian; he had been vicar of Coleman-street, whence he was ejected in the year 1645, by the committee for plundered ministers, because he refused to baptize the children of his parishioners promiscuously, and to administer the sacrament to his whole parish. He had published several large and learned books; as, *The Divine Authority of the Scriptures*; *Redemption Redeemed*; *A Treatise of Justification*; and, *An Exposition of the Ninth Chapter to the Romans*;—out of which the above-mentioned exceptions were taken. This divine, taking it amiss to be marked for a heretic, challenged any of the London clergy to a disputation, as thinking it a very unrighteous method to condemn opinions before they had been confuted. Mr. William Jenkins, at that time a warm and zealous Presbyterian, though afterward softened into more catholic principles, entered the lists with our author, in a pamphlet entitled, "The busy

nion. And Mr. Nye, a member of the assembly, informs us, when the Scots commissioners proposed, that the answers in the shorter catechism should be subscribed by all the members, the motion was rejected; after a considerable number in the assembly had shewn it was an unwarrantable imposition. *Conscientious Nonconformity*, printed for Noon, 1737, p. 77. *The Religious Establishment in Scotland Examined*, 1771, p. 104.—Ed.



bishop." To which the other replied, in a book entitled, "The novice presbyter instructed." By some passages in which, one may discover the angry spirit of the times.

Mr. Jenkins had complained that the orthodox clergy had short commons, and were under the cross, whereas the sectaries met with the greatest encouragement. To which Mr. Goodwin replies, "If by orthodox ministers, he means those of the adored order of presbytery, with what face can he say that they are under the cross? Is not the whole English element of church-livings offered up by the state to their service? Are not all the benefices of the kingdom appropriated to their order? And all others thrust out of doors to make room for them? Must they feed with hecatombs every day, or else complain of short commons? Or is Mr. Jenkins of Mar. Crassus's mind, who would have no one accounted rich, unless he could maintain an army with his revenue? In what sense can he affirm the Presbyterian clergy to be under the cross? Are they under the cross who are scarce under the crown? who are carried by authority upon eagles' wings: over whom the parliament itself rejoices to do good; heaping ordinance upon ordinance to advance both them and their livings together. But certainly there is something that Mr. Jenkins calls a cross which few men know by that name, but those who are baptized into the spirit of high presbytery; for the cross he speaks of is no other than this, that his orthodox brethren have not the power to do all the evil that is in their hearts against a quiet, peaceable, harmless generation of men, of whom they are jealous, lest they should take their kingdom from them. How can this writer say, that the Independent preachers meet with encouragement, and are under worldly glory? Does he account it matter of worldly glory, to be discountenanced by the state, to be declared incapable of those favours and privileges which other ministers in the land enjoy; to be sequestered from their livings, and to be thrust into holes and corners; to be represented both to the magistrate and people, as sectaries, schismatics, erroneous, heretical, factious, troublesome, dangerous to the state, and what not? If this be worldly glory, then may the preachers, against whom Mr. Jenkins writes, be truly said to be under worldly glory." Old Mr. Vicars and some others carried on the controversy, but their writings are not worth remembering; especially since the English Presbyterians of the present age have openly renounced and disavowed their principles.

To return to more public affairs. Hitherto the army had acted in perfect subordination to the parliament; but the war being over, and the king a prisoner, the great difficulty was to settle the nation upon such a foot as might content the several parties, or bring them at least to acquiesce; this was the rock upon which they split, and which in the end proved the ruin of their cause. To give light to this affair it will be proper to

consider the separate views of the king, the parliament, and the army.

The royal party being broken, and the king a prisoner, his majesty had no prospect of recovering his throne but by dividing his enemies, in order to the making the best terms with them he could; the Presbyterians being in league with the Scots nation, were most numerous and powerful; but that which rendered their agreement with the king impracticable, was his majesty's zealous attachment to this point, that episcopal government was essential to Christianity, and that he was bound by his coronation-oath to maintain it; whereas the others held themselves equally bound by their solemn league and covenant to abolish episcopacy, and establish presbytery in its room. Both parties were immovable, and therefore irreconcilable. His majesty's agreement with the army was more open and practicable, because they would have set aside the covenant, and obliged the parliament to tolerate episcopal government as well as the sectaries; but the king could never forgive those officers who had destroyed his armies, and driven him out of the field: though he dreaded their military valour, he had a very mean opinion of their politics, and therefore affected to play them against the parliament, hoping to take advantage of their divisions, and establish himself upon the ruins of both; for it was his majesty's maxim, which he did not scruple to avow, that neither party could subsist without him, and that those must be ruined whom he abandoned. By which unhappy principle he lost his interest, both in the parliament and army, and (as bishop Kennet observes) laid the foundation of his ruin.

The Presbyterians were no less unhappy in an imagination, that as the majority of the house of commons, with the city of London, and the whole Scots nation, were firmly attached to their interest, no opposition could stand before them, and therefore would abate nothing of their demands, nor hearken to any other terms of accommodation with the king, than those of the covenant, which were the entire abolishing of prelacy, and the establishing presbyterian uniformity throughout both kingdoms, with an absolute extirpation of all sectaries whatsoever. This was not only an effectual bar to their union with the king (as has been observed,) but awakened the jealousy of the army, who were thoroughly convinced, that when the Presbyterians were in the legal possession of their demands, they would exercise equal tyranny over the consciences of men with the bishops; and indeed nothing less was to be expected, considering their steady adherence to the covenant in all their treaties, their efforts in parliament to get the power of the keys into their own hands, their frequent addresses for the suppressing all sectaries by the civil authority, and their declarations both from the pulpit and press, against toleration and liberty of conscience. In all their treaties with the king, even to that in the Isle of Wight (except



when the army was in possession of the cities of London and Westminster,) this was one article of peace, "That an effectual course be taken by act of parliament, and all other ways needful or expedient, for suppressing the opinions of the Independents, and all other sectaries." To which his majesty had agreed in his private treaty with the Scots in the Isle of Wight, signed December 27, so that the army was left unsatisfied.

For although there were some few Presbyterians in the army, the greatest part consisted of Independents, Anabaptists, and men of unsettled principles in religion, who, for want of regular chaplains to their regiments, had used their own talents among themselves in religious exercises. The Scots treaty of the Isle of Wight says, the army was made up of Anti-Trinitarians, Arians, Socinians, Anti-Scripturists, Anabaptists, Antinomians, Arminians, Familists, Brownists, Separatists, Independents, Libertines, Seekers, &c.

Mr. Rapin, contrary to the testimony of all other writers, calls them all Independents, and represents the controversy between the parliament and them as a dispute, Whether Presbytery or Independency should be uppermost; whereas the grand controversy was, Presbytery with a toleration, or without one. The army consented that Presbytery should be the national religion, but insisted upon a toleration of all Christians in the enjoyment of all their civil and religious rights. This, says lord Clarendon, was their great charter, and till they had obtained it by a legal settlement, they agreed not to lay down their arms: they had fought the parliament's battles, and therefore thought it unreasonable to be told openly, if they could not comply with the Presbyterian settlement, they must expect to be punished as sectaries, and driven out of the land. To avoid this, they treated separately with the king, both before and after they had him in their hands; and when they apprehended he did not deal sincerely with them, they made proposals to the parliament to establish the Presbyterian discipline, with a toleration to all Protestants, without him; but when they found the Presbyterians, even in their last treaty with the king, in the year 1648, insisted upon the Presbyterian uniformity, without making the least provision for that liberty of conscience they had been contending for, they were exasperated and grew outrageous; they seized his majesty's person a second time, and having purged the house of commons in a most arbitrary manner, of all who were not disposed to their desperate measures, they blew up the whole constitution, and buried king, parliament, and presbytery in its ruins. This was not in their original intention, nor the result of any set of religious principles they embraced, as Rapin insinuates, but was a violence resulting from despair, to which they had been driven by a series of disappointments, and a train of mistaken conduct in the royalists and Presbyterians.

He left the king the beginning of the spring at his house at

Holmby, where he continued under an easy restraint from the 16th of February to the 4th of June following. The war being ended, the houses attempted to get rid of the army, by offering six months' pay, and six weeks' advance to as many as would go over to Ireland; and by voting, that the remainder should be disbanded, with an act of indemnity for all hostilities committed by them, in pursuance of the powers vested in them by parliament; but the army, being apprehensive that the Presbyterians would make peace with the king, upon the foot of covenant-uniformity, and without a toleration, resolved to secure this as a kind of preliminary point; for which purpose they chose a council of officers, and a committee of agitators, consisting of two inferior officers out of each regiment, to manage their affairs; these met in distinct bodies, like the two houses of parliament, and came to the following resolutions, which they sent to Westminster by three of their number, who delivered them in at the bar of the house: "That they would not disband without their arrears, nor without full provision for liberty of conscience: that they did not look upon themselves as a band of janizaries, but as volunteers, that had been fighting for the liberties of the nation, of which they were a part, and that they were resolved to see those ends secured\*." It was moved in the house, that the messengers might be committed to the Tower; but, after a long debate, they were dismissed only with a reprimand for meddling in affairs of state, and for presuming to offer a petition to parliament without their general. Upon this the officers sent their petition by the general himself, but the parliament, instead of taking it into consideration, ordered, May 21, that all who would not list for the Irish service, should be immediately paid off and disbanded; upon which the officers, seeing the snare that was laid for them, bound themselves and the army by an engagement, May 29, not to disband till the grievances above mentioned were redressed. Whereupon the two houses ordered lieutenant-general Cromwell, who was then in town, and suspected to be at the head of these counsels, to be seized; but being advertised of the design, he made his escape to the army. They then voted the petition seditious, and all those traitors who had promoted it; and having sent a message to the general, to remove the army farther from London, they raised the city trained-bands, and determined to put an end to the power of the army by a speedy conclusion of peace with the king.

His majesty's answer to the propositions at Newcastle were read in the house May 18, in which "he agrees to settle the Presbyterian government for three years—to ratify the assembly of divines at Westminster, proposing a few of his own clergy to consider what government to settle afterward—he yields the militia for ten years—desires ministers of his own to satisfy him about the covenant—consents to the act against Papists—and to

\* Rushworth, vol. 6. p. 485. 498. Rapin, vol. 2. p. 529, folio ed.



an act of oblivion—and desires to come to London, in order to give the parliament satisfaction upon the other articles.” Two days after the lords voted, that the king be removed to his house at Oatlands, and that it be immediately fitted for his reception.

Things being come to this crisis, the agitators considered, that the king being the prize contended for, whoever had him in their power must be masters of the peace, and make their own terms; they therefore resolved, by the advice and direction of lieutenant-general Cromwell, to get possession of his majesty’s person, which they accomplished by a bold stratagem, in the night of June 4, with very little opposition from his attendants or guards; cornet Joyce, at the head of fifty resolute horse, having secured the avenues to Holmby-house, entered with two or three of his company, and going to the king’s chamber, acquainted him with his design of carrying him to the army at Newmarket; his majesty being surprised at so unexpected a visit, and so late at night, asked for his commission, who pointed to his troops drawn up before the gates; his majesty answered, it was very legible; and finding it in vain to resist, consented to go with the cornet next morning, on promise of safety to his person, and that he should not be forced to any thing against his conscience; the chief officers of the army met his majesty at Childerley, four miles from Cambridge, and were admitted to kiss his hand; from thence he was removed to Newmarket, where he took the diversion of the heath, had the liberty of four of his own chaplains to wait upon him, and was attended with all due ceremony and respect; Cromwell, being heard to say among his friends, that “now he had got the king into his hands he had the parliament in his pocket\*.”

The two houses received the news of the king’s being carried off to the army with the utmost surprise and astonishment; the whole city was in confusion, and all persons within the lines of communication ordered to arms; the lobby at Westminster was thronged with the disbanded officers of the earl of Essex’s army offering their service to the parliament, for every one imagined the army would be at the gates of the city in a few hours; when their panic was a little abated, commissioners were sent to the general, not to advance within forty miles of London; but being already at St. Alban’s, the general promised not to march his army nearer without due notice†; and assured the two houses, that they would not oppose the presbyterial government, nor set up the Independent; but only insisted that some effectual course might be taken, that such who upon conscientious grounds differed from the establishment, might not be debarred from the common rights, liberties, or benefits, belonging equally to all, while they lived soberly and inoffensively towards others, and peaceably and faithfully towards the state‡. June 10, another letter was sent to the lord-mayor, aldermen, and common-council, of London,

\* Rushworth, p. 545. 549. Rapin, vol. 2. p. 530, folio ed.

† Rushworth, p. 546. 561. 589, &c.

‡ Rapin, vol. 2. p. 379. 531.

signed by Fairfax, Cromwell, and twelve other officers, assuring them, "they intended no alteration of the civil government; nor to interrupt the settlement of presbytery; nor to introduce a licentious liberty, under colour of obtaining ease for tender consciences, but that when the state had made a settlement they would submit or suffer. They wished that every peaceable subject might have liberty and encouragement, for the obtaining which (say they) we are drawing near the city.—We seek the good of all, and shall wait for a time to see if these things may be settled without us, and then we will embark for Ireland \*."—

The commons took no notice of these remonstrances, but declared in print, that his majesty was a prisoner, and barbarously used, because their commissioners could have no access to him, but in the presence of some officers; the army replied, "that all suggestions of that nature were absolutely false, and contrary to their principles, which are most clearly for a general right and just freedom to all men, and therefore upon this occasion they declare to the world, that they desire the same for the king, and others of his party, so far as can consist with common right and freedom, and with the security of the same for the future. And we do clearly profess (say they) that we do not see how there can be any peace to this kingdom firm or lasting, without a due provision for the rights, quiet, and immunity, of his majesty, his royal family, and his late partakers; and herein we think, that tender and equitable dealings (as supposing their cases had been ours), and a spirit of common love and justice diffusing itself to the good and preservation of all, will make the most glorious conquest over their hearts, to make them, and the whole people of the land, lasting friends †."

The leading members of the Presbyterian party in the house of commons could not contain themselves within any reasonable bounds at these proceedings; they said it was insufferable that the parliament, instead of treating with the king, should be obliged to treat with their own servants, and therefore advised raising a new army, and opposing force with force, till those who had the king in their custody should submit to their superiors, and deliver him back. On the other hand, the officers and agitators resolved to get rid of these resolute gentlemen, and therefore impeached eleven of the members of high treason, June 16, for obstructing the business of Ireland; for acting against the army and against the laws and liberties of the subject, &c. and desired they might be suspended from the house till they were legally acquitted ‡; their names were Denzil Hollis, esq., sir Phil. Stapleton, sir William Lewis, sir John Clotworthy, sir William Waller, sir John Maynard, major-general Massey, Mr. Glyn recorder, colonel Walter Long, colonel Edward Hartley, Anthony Nichols, esq. The commons not only rejected their im-

\* Rushworth, p. 554.

† Ibid. p. 589, 590.

‡ Ibid. p. 570, 572. Rapin, vol. 2. p. 531.



peachment, but ordered the king to be brought to Richmond, and that four full companies of the militia should guard the two houses. This quickened the resentments of the army, who sent the following proposals, among others, June 23, "—That the king's coming to Richmond be suspended;—that no place be appointed for his residence nearer London than the parliament will allow the quarters of the army;—that the impeached members be sequestered the house;—that the multitude of soldiers that flock together about the city be dispersed; and that no new forces be raised, nor any preparations made for a new war\*." If these particulars are not complied with in a week's time, they declare they will march to London, and do themselves justice. The houses, being terrified with the approach of the army, agreed to content them for the present, in order to gain time; and the impeached members having desired leave to withdraw, retired first into the city, and after some time left the kingdom. The other requests of the army were also complied with; whereupon, after returning thanks to the houses, they retreated to Wickham, and appointed commissioners to settle all remaining differences with the parliament†.

But the city of London, by the influence of the impeached members, kindled into a flame; for the parliament, by an ordinance of May 4, having put the nomination of the officers of the militia into the hands of the common-council, these had discharged the old ones, and put in such as they could confide in for opposing the army, and establishing uniformity according to the covenant; the officers in order to defeat their design insisted, that the ordinance of May 4 be repealed, and the militia put into the hands of those who had conducted it during the course of the late war‡. The houses, with much reluctance, consented to the repeal July 23, which alarmed the citizens, and occasioned those tumults which brought upon them the very mischiefs they were afraid of. Denzil Hollis, with the other impeached members who were retired into the city, prevailed with the common-council to oppose the repeal, and petition the house, that the ordinance of May 4 might remain in full force. At the same time some citizens met at Skinner's-hall, and subscribed a solemn engagement to endeavour with the hazard of their lives to procure a "personal treaty with the king;—that he might return to his two houses with honour and safety;—that his majesty's concessions of May 11 might be confirmed, and the militia continue in the hands of the present committee§." How vain was all this bustle, when they knew the king was in the custody of those who would pay no regard to their demands! The houses indeed forbade the signing of the engagement by sound of trumpet; but such was the misguided zeal of the citizens, that they held assemblies, enlisted soldiers, and gave them orders to be ready on the first notice.

\* Rushworth, p. 585.

† Whitelocke, p. 264. Rapin, vol. 2. p. 532.

‡ Rapin, vol. 2. p. 533.

§ Rushworth, p. 637. Rapin, vol. 2. p. 533, 534.

The parliament was now in great perplexity, considering the impossibility of contenting the Presbyterians and the army at the same time; while the citizens, resolved to carry their point by one method or another, went up to Westminster July 26, with such a number of apprentices and young men, as terrified the houses by their tumultuous and insolent behaviour; for they would scarce suffer the door to be shut; some thrust themselves into the house with their hats on, crying out, Vote, vote; and when the speaker would have left the chair to put an end to the confusion, they obliged him to return, till the militia was settled to their mind, and the king voted to come to London\*. This, says Mr. Baxter, looked like a force upon the parliament; and indeed both houses were so terrified and pressed between the city Presbyterians on one side, and the army on the other, that they adjourned immediately from Monday to Friday, in which interval the earl of Manchester, speaker of the house of lords, with eight peers and the speaker of the house of commons, with about a hundred members†, withdrew privately from the city, and joined the army;—a surprising event in their favour! The officers received them with the utmost satisfaction and transport, paying them all imaginable honours, and assuring them, that they would reestablish them in their full power, or die in the attempt. There must surely have been some very pressing reasons for this conduct‡, otherwise so many zealous Presbyterians, as were most of the members who quitted the parliament-house, would not have had recourse to the protection of the army. Lord Clarendon believes, that they apprehended the army designed to restore the king to all his rights at this time, and that they were willing to avoid his majesty's vengeance, by concurring with them in his restoration, which is not unlikely, if they could have brought him to their terms.

However, the Presbyterian members that remained in London assembled on Friday according to adjournment, and having chosen

\* Rushworth, p. 642. Rapin, vol. 2. p. 534.

† Dr. Zach. Grey says there was but fifty-nine, but I do not know his authority.—Ed.

‡ Rapin, as well as Mr. Neal, expresses his surprise at this secession of these members of parliament: he supposes, that it proceeded from a disapprobation of the measures pursued by their brethren and the common-council of London; and from an apprehension, that they would be infallibly oppressed by the army. By joining the army they sought their security from the ruin which threatened their own party; and, says Mr. Hume, "paid their court in time to that authority, which began to predominate in the nation." What Whitelocke reports concerning the reason which the earls of Warwick, Manchester, &c. assigned for their conduct, appears to have escaped the attention of these writers. He says, that they sent to the general to acquaint him, "that they had quitted the parliament, for that there was no free-sitting for them, and they cast themselves into his protection." Memorials, p. 265. Dr. Grey, in his Appendix, No. 72, has confirmed this account of the matter, by giving at length their letter to sir Thomas Fairfax, signed by the speaker of the house of lords and eight peers, and by the speaker and fifty-eight of the commons. Mr. Neal, and since him Mrs. Macaulay, says, a hundred commoners seceded. All, probably, did not sign the letter. Dr. Grey is rather severe here upon our author.—Ed.



a new speaker, voted that the king should come to London;—that the eleven impeached members should be restored;—that a committee of safety should join the city-militia;—and that forces should be immediately raised under the command of Waller, Massey, and Poyntz; in all which they appeared so resolute, that no man could imagine but either that they had the king at their disposal, or intended a brave and valiant defence of the city \*. The common-council gave orders for the trained-bands to repair to the works, and for all capable of bearing arms to appear at the places of rendezvous. Massey, Waller, and Poyntz, were also busy in forming regiments and companies; and the committee of the militia were empowered to punish such as did not repair to their colours. At the same time they wrote to their brethren in Scotland, to return with their army immediately to their assistance; but alas! they were at too great a distance; however, they published a declaration in the name of the kirk and whole kingdom, August 13, wherein they engage, by a solemn oath, to establish the Presbyterian government in England;—to redeem his majesty out of the hands of schismatics, and place him at the head of his parliament with honour;—to vindicate the honour of the eleven impeached members, and to settle the privileges of parliament against the overawing power of the army. A little after they declared against toleration and liberty of conscience, resolving to the last man to stand by the covenant, whatever the English parliament might submit to.

Pursuant to the order of the two houses, the general had removed his head-quarters above forty miles from the city, till, upon the representation of the members, who fled to them for protection from the outrageous violence of the city-mob, they resolved to push their advantage, and bring the mutineers to justice; accordingly they resolved to march to London, and rendezvous the whole army on Hounslow-heath, August 3, to the number of twenty thousand men, with a suitable train of artillery, accompanied with fourteen peers, and about one hundred members of the house of commons†. The citizens were no sooner informed of this, than their courage sunk at once, and, instead of defending the city, they ordered the militia to retire from the lines, and sent their submission to the general, promising to open their passes, and give all assistance to the replacing of those members who had withdrawn to the army. August 6, being appointed for this service, the mayor and aldermen met the general at Hyde-park with a present of a gold cup, beseeching him to excuse what had been amiss; but his excellency refused the present, and having dismissed them with very little ceremony, conducted the members to their seats in parliament, who immediately voted all proceedings in their absence void, and gave thanks to the army for their safe conduct‡. Next day the army marched through the city without

\* Rapin, vol. 2. p. 399. 534. Rushworth, p. 737.

† Rushworth, p. 745. 750.

‡ Ibid. p. 751. 756.

any disorder, and constituted colonel Titchburn lieutenant of the Tower, contrary to the request of the lord-mayor and citizens; the militia was changed, and put into the hands of the old officers who had conducted it before; the fortifications and lines of circumvallation about the city were levelled, and sundry peers, who had been at the head of the late tumults, were impeached of high treason, as the earl of Suffolk, Middlesex, Lincoln, lord Willoughby of Parham, Hudson, &c.; the lord-mayor and some of the principal citizens were sent to the Tower; and it was resolved to purge the house of all who had been active in the late unhappy riot; which put a full period to the Presbyterian power for the present; and the army being quartered near the city all the next winter, there was a council of officers at their head-quarters at Putney, whose debates and resolutions had, no doubt, a very powerful influence upon the resolutions of the two houses.

The odium of this grand revolution, by which the army became masters of the city of London, and of the parliament itself, fell chiefly on the Presbyterians themselves, whose intemperate zeal for covenant-uniformity carried them to very impolitic excesses. The sermons of their ministers were filled with invective against the army while at a distance; in their public prayers they entreated the Almighty to incline the hearts of the Scots to return to their relief; and the conversation of their people was riotous and disorderly; however, lest the weight of this revolution should fall too heavily on the London ministers\*, as the chief incendiaries of the people, they wisely prepared a vindication of themselves, and published it four days before the army entered the city; it was dated from Sion-college, August 2, 1647, and is to this purpose:

"We the ministers of London, whose names are subscribed, do profess, in the presence of the Searcher of all hearts,

1. "That we have never done any thing purposely and wittingly to engage the city against the army, or the army against the city, but have sincerely and faithfully endeavoured to prevent it.

2. "That seeing both the parliament and city have declared the necessity of putting the city into a present posture of defence, yet protesting against any desires of a new war, and thereupon have called upon us to stir up the people to prepare for their defence; we accordingly have done and shall do our duty therein, that the people may be encouraged to their own just and necessary preservation.

3. "But withal, we profess our abhorrence of the shedding any blood on either side; and we humbly pray all whom it may concern, that they will be very careful in preventing it by a seasonable treaty."

Signed by about twenty of the London ministers, and presented to a committee of both houses, sitting at Guildhall.

\* The assembly of divines also, Dr. Grey informs us, presented a petition for peace: which he has preserved, from the MSS. of Dr. Williams, no. 74 of his Appendix.—ED.



*The sixth classis.*

- |                          |                                     |                          |
|--------------------------|-------------------------------------|--------------------------|
| 1 St. Alban, Wood-street | 7 St. Martin, Ironmon-<br>ger-lane  | 10 St. Mary Colechurch   |
| 2 Allhallows, Honey-lane | 8 St. Mary, Alderman-<br>bury       | 11 St. Michael, Wood-st. |
| 3 St. Alphage            | 9 St. Mary Magdalen,<br>Milk-street | 12 St. Mildred, Poultry  |
| 4 St. Giles, Cripplegate |                                     | 13 St. Olave, Jewry.     |
| 5 St. James's chapel     |                                     |                          |
| 6 St. Lawrence, Jewry    |                                     |                          |

*The seventh classis.*

- |                                  |                                 |                                    |
|----------------------------------|---------------------------------|------------------------------------|
| 1 Allhallows in the Wall         | 4 St. Botolph, Bishops-<br>gate | 7 St. Michael, Bassishaw           |
| 2 St. Bartholomew, Ex-<br>change | 5 St. Christopher's             | 8 St. Peter Poor                   |
| 3 St. Bennet Finck               | 6 St. Margaret, Lothbury        | 9 St. Stephen, Coleman-<br>street. |

*The eighth classis.*

- |                         |                                  |                                    |
|-------------------------|----------------------------------|------------------------------------|
| 1 St. Andrew Undershaft | 6 St. James, Duke-place          | 9 St. Martin, Outwich              |
| 2 St. Botolph, Aldgate  | 7 St. Katherine, Cree-<br>church | 10 St. Mary, Stoke-New-<br>ington. |
| 3 St. Ethelburga        | 8 St. Leonard, Shore-<br>ditch   |                                    |
| 4 St. John, Hackney     |                                  |                                    |
| 5 St. Helen's           |                                  |                                    |

*The ninth classis.*

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|---------------------------|--------------------------|----------------------|
| 1 Allhallows Barking      | 6 St. Katherine, Tower   | 10 Stepney           |
| 2 Allhallows Steyning     | 7 St. Margaret Pattoons  | 11 Trinity, Minorics |
| 3 St. Dunstan in the East | 8 St. Olive, Hart-street | 12 Wapping           |
| 4 St. Gabriel, Fenchurch  | 9 St. Peter in the Tower | 13 Whitechapel.      |
| 5 St. Katherine, Coleman  |                          |                      |

*The tenth classis.*

- |                                    |                        |                                 |
|------------------------------------|------------------------|---------------------------------|
| 1 St. George, Southwark            | 4 St. Mary Overies     | 8 St. Thomas's Hospital         |
| 2 Lambeth                          | 5 Newington Butts      | 9 St. Thomas's, South-<br>wark. |
| 3 St. Mary Magdalen,<br>Bermondsey | 6 St. Olave, Southwark |                                 |
|                                    | 7 Rotherhithe          |                                 |

*The eleventh classis.*

- |                           |                                  |                            |
|---------------------------|----------------------------------|----------------------------|
| 1 St. Clement Danes       | 4 St. Margaret, West-<br>minster | 6 New Church               |
| 2 St. Giles in the Fields | 5 St. Martin in the Fields       | 7 St. Peter, Westminster   |
| 3 Knightsbridge           |                                  | 8 St. Paul, Covent-garden. |

*The twelfth classis.*

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|----------------------------------|--------------------------------|-----------------------|
| 1 St. Andrew, Holborn            | 4 Charterhouse                 | 7 St. Mary, Islington |
| 2 St. Bartholomew the<br>greater | 5 St. Dunstan in the West      | 8 St. Sepulchre's.    |
| 3 St. Bartholomew the less       | 6 St. James's Clerken-<br>well |                       |

Thus the Presbyterian ecclesiastical government began to appear in its proper form; but new obstructions being raised by the ministers to the choice of representatives, the provincial assembly did not meet till next year, nor did it ever obtain except in London and Lancashire. The parliament never heartily approved it, and the interest that supported it being quickly disabled, Mr. Echard says, the Presbyterians never saw their dear presbytery settled in any one part of England\*. But Mr. Baxter, who is a much better authority, says, the ordinance was executed in London and Lancashire, though it remained unexe-

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\* Echard, p. 634.

appeared in defence of the civil and religious liberties of mankind upon the most solid and generous principles.

His majesty was obliged all this time to attend the removes of the army: from Newmarket he came to Royston, June 24; from thence to Hatfield; from thence to Windsor, and two days after to Caversham, where he had the pleasure of conversing with his children. But when the city of London threatened a new war, his majesty was removed to a greater distance; about the middle of July he was at Maidenhead; and towards the end of the month at Latimer's in Buckinghamshire; when the army had got possession of the city they brought his majesty back to Oatlands, August 14, and two days after to Hampton-court, where he appeared in state and splendour about three months, being attended by the proper officers of the court, and a vast resort of people both from city and country.

While the king was with the army, lieutenant-general Cromwell and Ireton took sundry opportunities to confer with his majesty privately about his restoration. They offered to set him upon the throne with the freedom of his conscience upon the point of episcopacy, or lose their lives in the attempt, if he would consent to their proposals to the parliament, and bestow some particular preferments on themselves and a few of their friends, wishing that God would deal with them and their families according to their sincerity\*. Nay, they engaged to indemnify his whole party, if they would be quiet†. Sir J. Berkley, the king's agent, entreated his majesty in the most importunate and submissive manner, considering the state of his affairs, to accept of the said proposals; but the king treated them with a haughty reserve, and said, if they intended an accommodation they would not impose such conditions upon him. Sir J. Berkley said, he should suspect they designed to abuse him if they had demanded less; and that a crown so near lost was never recovered on easier terms. But Mr. Ashburnham, who came with instructions from France, fell in with the king's humour, and encouraged him to stand his ground, relying upon an ill-

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the management of a fund for the assistance of small congregations. They are known to direct on a truly liberal plan, without demanding subscription to any articles, or making any inquisition into the sentiments, on doctrine or discipline, of the ministers or churches to whom they grant exhibitions. And the writings of those who have been called Presbyterians, the bishop could not but know, were most able vindications of the principles of liberty. In this cause did a Browne, an Evans, a Grosvenor, a Chandler, and many others, argue and plead. His lordship's argument, I would add, applies to an extent to which it is conceived he did not wish to have it carried; it more than implies, that toleration and an establishment are incompatible; that when once the tolerated are possessed of power they of course become intolerant. If so, an establishment cannot exist without being inimical to the interests of truth and the rights of conscience. Could a severer reflection be passed on establishments, than is here conveyed by an episcopal pen?—Ed.

\* Dr. Grey fills, here, four pages with authorities to prove the insincerity and hypocrisy of Cromwell and Ireton: by which nothing that Mr. Neal had advanced above is invalidated.—Ed.

† Dugdale's Troubles of England, p. 264.



judged maxim which his majesty had imbibed, and which his best friends could not make him depart from, viz. that it was in his power to turn the scale, and that the party must sink which he abandoned\*. This sealed his ruin, and made him play between both, till neither would trust him. When the parliament brought their propositions, he put them in mind of the offers of the army; and when the proposals of the latter were tendered in the most respectful manner, he put on a frown, and said, "I shall see you glad, ere long, to accept more equal terms; you cannot be without me; you will fall to ruin if I do not sustain you; no man shall suffer for my sake; the church must be established according to law—." The officers were confounded at this language. "Sir (says sir J. Berkley), you speak as if you had some secret strength, which, since you have concealed from me, I wish you had concealed from these men†." After divers conferences of this kind to no purpose, Cromwell told him plainly, "Sir, we perceive you have a design to be arbitrator between the parliament and us; but we now design to be the same between your majesty and the parliament." This fluctuating temper (says bishop Kennet) was the king's ruin, which he repented of when it was too late. Mr. Whitelocke says, the king's bishops persuaded him against what he was inclined to in his own judgment, and thereby ruined him and themselves‡.

When the officers found they could make no impression on the king, and had discovered his secret correspondence with the queen, they withdrew from court, which raised suspicions in his majesty's mind of a secret design against his life, and put him on attempting to escape out of their hands. It is very certain that Cromwell withdrew his parole of honour for the king's safety, and sent him word, a few days before he left Hampton-court, that he would not be answerable any longer for what might befall him, which was owing to a discovery he had made of the king's insincerity in treating with him. Mr. Coke says, there was a report at that time, and he is confident that in time it will appear, that in the army's treaty with the king, Cromwell had made a private article of advantage for himself§, but his majesty not allowing himself to conclude any thing without the queen, wrote her word, "that if he consented to those proposals, it would be easier to take off Cromwell afterward, than now he was at the head of the army||." Which letter Cromwell intercepted. Bishop Kennet says, "that it was reported, that Cromwell was to have 10,000*l.* and a garter; and that the bargain had certainly taken effect, if the king had not made an apology to the queen, and sufficiently implied that he did it by constraint, and that when he was at liberty, and in power, he should think himself discharged from the obligation. This letter was sewed up in the skirt of a saddle to be sent to

\* Rushworth, p. 807. 810.

† Memorials, p. 271.

‡ History of the Stuarts, p. 330.

§ Detect. p. 323.

|| Complete History, p. 270.

France; but Cromwell and Ireton, having information of it, went to an inn in Holborn, and seized the letter——” Dr. Lane of the commons frequently declared, “that he had seen this original letter, that he knew it to be the king’s own hand, and that the contents were as above.” Another writer says, that the letter mentioned his majesty’s being courted by the Scots Presbyterians as well as the army, and that they that bid fairest for him should have him\*. Upon the discovery of this letter, Cromwell went to Mr. Ashburnham who attended the king’s person, and told him, that he was now satisfied the king could not be trusted; that he had no confidence in the army, but was jealous of them and their officers—that he had treaties with the city Presbyterians, and with the Scots commissioners, to engage the nation again in blood, and that therefore he could not be answerable if any thing fell out contrary to expectation. Sir Richard Baker, Mr. Coke, and others, are of opinion, that till this time Cromwell and Ireton were hearty and zealous for restoring the king, and opposing the levellers who began to arise in the army, but that after this discovery they forsook him, as did the rest of the chief officers, who seldom came to court: the guards also changed their language, and said that God had hardened the king’s heart, and blinded his eyes.

Under these circumstances the infatuated king left Hampton-court, November 11, at night, and having crossed the Thames, took horse in company with sir J. Berkley, Mr. Leg, and Mr. Ashburnham, and next morning arrived at Titchfield-house, where he stayed while Leg went over to the Isle of Wight, to treat with colonel Hammond the governor about the safety of his person, who, without any treaty, brought the governor to the house where his majesty was, upon which the king said, he was betrayed; as indeed he was in all his affairs†. Hammond carried him over to the Isle November 13, and after some time shut him up in Carisbrook-castle, where his majesty remained almost a year with one or two servants only, having little conversation with the world, and time sufficient to contemplate on the uncertainty of all human affairs, and on the miserable circumstances to which Divine Providence had suffered his own imprudent conduct to reduce him.

Let us now attend to the projects of the several parties for restoring the public tranquillity. As soon as the army had got possession of the city of London, they made the following proposals to the two houses. With regard to religion; “That an act be passed to take away all coercive power and jurisdiction of bishops extending to any civil penalties upon any.—That there be a repeal of all acts, or clauses of acts, enjoining the use of the Common Prayer, and imposing any penalty for neglect thereof, and for not coming to church, or for meeting elsewhere.—That the taking of

\* History of the Stuarts, p. 390.

† Rushworth, p. 920, 960.



the covenant be not enforced upon any, but that all orders and ordinances tending to that purpose be repealed." With regard to the state, "—That the militia and great officers be disposed of by parliament for ten years, and after that the houses to nominate three, out of which the king to choose one.—That there be acts of indemnity and revocation of all declarations against the proceedings of parliament.—That the present unequal and troublesome and contentious way of ministers' maintenance by tithes be considered of, and some remedy applied.—That none may be obliged to accuse themselves or relations in criminal causes; and no man's life taken away under two witnesses.—That consideration be had of all statutes, laws or customs of corporations, imposing any oaths tending to molest or ensnare religious and peaceable people merely for nonconformity in religion.—That the arbitrary power given to committees, and deputy-lieutenants, be recalled \*."

After several debates upon these proposals with regard to religion, the lords agreed, October 13, "that the king be desired to give his consent to the settling the presbyterial government for three years, with a provision, that no person shall be liable to any penalty for nonconformity to the said government, or form of divine service; but such persons shall have liberty to meet for the service and worship of God, and for exercise of religious duties and ordinances in any fit and convenient places, so as nothing be done by them to the disturbance of the peace of the kingdom. Provided this shall not be construed to extend to a toleration of the Popish religion, nor to exempt Popish recusants from any penalties imposed upon them for the exercise of the same. Nor shall it extend to the toleration of any thing contrary to the principles of the Christian religion, contained in the Apostles' creed, as it is expounded in the fifteen first articles of the church of England, as they had been cleared and vindicated by the assembly of divines now sitting at Westminster; nor of any thing contrary to such points of faith, for the ignorance whereof men are to be kept from the sacrament, according to the ordinance of October 20, 1645. Nor shall it extend to excuse any persons from the penalties of 1 Elizabeth, cap. 2, for not coming to hear the word of God on the Lord's day in any parish-church or chapel, unless he can shew a reasonable cause for his absence, or that he was present to hear the word of God preached or expounded elsewhere †."

The commons likewise agreed, "that presbytery be established till the end of the next sessions of parliament, or till the second sessions; that the tenths, and all other maintenance belonging to any church or chapel, shall be only for the use of them who can submit to the presbyterial government, and none other. The liberty of conscience shall extend to none who shall print, preach, or publish, contrary to the first fifteen articles of the thirty-nine,

\* Rushworth, p. 736. Rapin, vol. 2. p. 538, 539. † Rushworth, p. 840.

except the eighth, relating to the three creeds. That nothing contained in this ordinance shall extend to Popish recusants \*." October 14, they agreed further, "that such tender consciences should be freed, by way of indulgence, from the penalty of the statute for the Presbyterian government, for their nonconformity, who do meet in some other congregation for the worship of God on the Lord's day, and do nothing against the laws and peace of the kingdom, and that none others shall be freed from the penalty of the statute of Eliz. cap. 2." October 16, the commons voted, "that the indulgence granted to tender consciences should not extend to tolerate the use of common prayer in any part of the kingdom †." Which was against the sense of the army, who were for a general indulgence, as appears from the declaration of the agitators, dated November 1, in which they say, that "matters of religion and the ways of God's worship, are not at all intrusted by us to any human power, because therein we cannot omit or exceed a tittle of what our consciences dictate to be the mind of God, without wilful sin; nevertheless, the public way of instructing the nation, so it be not compulsive, is left to their discretion ‡." Here was a fair plan of accommodation, but no ordinance was brought into the house to confirm these resolutions. November 8, both houses agreed to the addition of some new propositions. As,

1. "For the due observation of the Lord's day.
2. "Against innovations in religion.
3. "A new oath for the conviction of Papists.
4. "For the education of the children of Papists in the Protestant religion.
5. "Against pluralities."

The proposals of the Presbyterians were the same with those of Newcastle already mentioned; but whereas the king declined to accept them without a personal treaty, they determined in the house of commons, to reduce them into four bills, which if his majesty refused to sign as preliminaries, they resolved to settle the nation without him; but before they were perfected, the king withdrew from Hampton-court, and was secured in the Isle of Wight, where the commissioners from the two houses waited on him, and tendered him the following bills, December 24; the first was settling the militia, as has been related; the second, for calling in all his majesty's declarations and proclamations against the two houses, and those that adhered to them; the third, to disqualify those peers from sitting in the house, that had been created after the great seal had been conveyed to Oxford; the fourth, to empower the two houses to adjourn, as they should think fit. In matters of religion they insisted peremptorily on the establishment of the Presbyterian church-government upon the ruins of the prelatical: upon the extirpation of all sectaries; and

\* Rushworth, p. 841.

† Ibid. p. 842.

‡ Ibid. p. 160.



upon covenant-uniformity in both nations, as will appear more fully hereafter. But the king, instead of signing the preliminaries, insisted strenuously on a personal treaty, which it was hardly reasonable for him to expect, when he had so lately attempted to escape out of their hands, and now refused to yield any thing in a way of condescension.

It had not been possible to unriddle the mystery of this escape, if it had not appeared soon after, that the king was at that very time throwing himself into the hands of the Scots, who being offended with the parliament (now under the influence of the army) for not acting in concert with them in the present treaty, according to their covenant, determined on a separate negotiation for themselves; and accordingly, by the mediation of some of their own nation, they concluded a secret treaty with the king, which was begun before his majesty left Hampton-court, but not signed till the 27th of December following, three days after his majesty's refusal of the parliament's four bills. "This alliance (says lord Clarendon \*) was most scandalous, and derogatory to the honour and interest of the English nation, and would have been abominated if known and understood by all men." But Rapin thinks it not so criminal on the part of the Scots as his lordship represents, since they yielded to the establishment of their beloved presbytery in England only for three years; however, it laid the foundation of the king's ruin with the army.

In the preamble his majesty gives "a favourable testimony to the solemn league and covenant, and to the good intentions of those that entered into it." In the treaty "he obliges himself to confirm the covenant by act of parliament as soon as he can do it with honour and freedom in both kingdoms; with a proviso, that none that were unwilling should be obliged to take it for the future. He engages farther, to confirm by act of parliament the presbyterial government in England, the Directory for public worship, and the assembly of divines, for three years only, with liberty for himself and his household to use that form of divine service they had formerly practised; and that during the three years there should be a consultation with the assembly of divines, to whom twenty of the king's nomination should be added, and some from the church of Scotland, to determine what form of church-government should be established afterward †."—Then follows a seourge for the army; "That an effectual course should be taken to suppress the opinions of the Anti-Trinitarians, Arians, Socinians, Arminians, Independents, Brownists, Antinomians, Anabaptists, Separatists, Seekers; and in general, all blasphemy, heresy, schism, and other doctrines contrary to the known principles of Christianity, whether concerning faith, worship, conversation, or the power of godliness, or which may be destructive to order and government, or to the peace of the church and kingdom."

\* 103.

† Rapin, vol. 2. p. 543, 544.

In return for these concessions "the Scots engaged to raise an army to deliver his majesty out of captivity, to assert his right to the militia, the great seal, the negative voice in parliament; and in a word, to restore him to his throne with honour and freedom;" which occasioned a second civil war the next year.

As soon as his majesty arrived in the Isle of Wight from Hampton-court, he sent a letter to the speaker of the house of lords, to be communicated to the commons, with the following concessions on his part, very inconsistent with the treaty last mentioned.—"For the abolishing archbishops, bishops, &c. his majesty clearly professeth, that he cannot consent to it either as a Christian or a king; for the first he avows, that he is satisfied in his judgment, that this order was placed in the church by the apostles themselves, and ever since their time has continued in all Christian churches throughout the world till this last century; and in this church, in all times of change and reformation, it has been upheld, by the wisdom of his ancestors, as the great preserver of doctrine, discipline, and order, in the service of God. As a king, at his coronation he not only swore to maintain this order, but his majesty and his predecessors, in their confirmations of the great charter, have inseparably woven the rights of the church into the liberty of the subject; and yet he is willing that it be provided, that particular bishops perform the several duties of their callings, both by their personal residence, and frequent preaching; that in their personal exercise no act of jurisdiction or ordination be without consent of their presbyters; and will consent, that in all things their powers be so limited, that they may not be grievous to the tender consciences of others; his majesty sees no reason why he alone, and those of his judgment, should be pressed to a violation of theirs.

"Nor can his majesty consent to the alienation of church-lands, because it cannot be denied to be the sin of sacrilege; as also, that it subverts the intentions of so many pious donors, who have laid a heavy curse upon all such profane violations. And besides, his majesty believes it to be a prejudice to the public good; many of his subjects having the benefit of renewing leases at much easier rates, than if those possessions were in the hands of private men; not omitting the discouragement it will be to learning and industry, when such eminent rewards shall be taken away; yet considering the present distempers concerning church-discipline, and that the Presbyterian government is now in practice, his majesty to avoid confusion as much as may be, and for the satisfaction of his two houses, is content, that the same government be legally permitted to stand in the same condition it now is for three years, provided that his majesty, and those of his judgment, or any others who cannot in conscience submit thereunto, be not obliged to comply with the Presbyterian government, but have free practice of our own profession, without any prejudice thereby; and



that free consultation be had with the divines at Westminster, twenty of his majesty's nomination being added to them, to consider how to settle the church afterward, with full liberty to all those who shall differ upon conscientious grounds from that settlement; always provided, that nothing aforesaid be understood to tolerate those of the Popish profession, or exempt them from penal laws, or to tolerate the public profession of atheism or blasphemy, contrary to the doctrine of the apostles, the Nicene and Athanasian creeds; they having been received by, and had in reverence of, all Christian churches, and more especially the church of England since the Reformation \*." This was inserted to cajole the army, and was entirely reversed by the Scots treaty five weeks after.

From these inconsistent views of the contending parties, we may easily discern the precarious situation of the public tranquillity, especially as there was a general distrust on all sides, and each party resolved to carry their point without any abatements: the king was held by ties of conscience and honour (as he said) to preserve episcopacy; the Scots and English Presbyterians, though divided at present, thought themselves equally bound to stand by their solemn league and covenant; and the army was under a solemn engagement to agree with neither without a toleration. If the king could have submitted to covenant uniformity, he might have been restored by the Presbyterians; or, if either king or parliament would have declared heartily for a toleration, they might have established themselves by the assistance of the military power; but his majesty seems to have been playing an unsteady if not a double game. The reader will judge of the equity of the several proposals, and of the prudential conduct of each party, from the respective circumstances in which they stood: the king was a prisoner; the parliament in possession of the whole legislative authority; but the sword was in the hands of the army, who were determined not to sheathe it till they had secured to themselves that liberty for which they had been fighting: this they had in vain solicited from the king, and were next determined to try their interest with the parliament.

The houses being informed of the king's design to make his escape out of the Isle of Wight, ordered the governor to put away his servants, and confine him a close prisoner in the castle, so that no person might be admitted to speak to him without leave. His majesty having also declared, when he rejected the parliament's four bills, that nothing which could befall him could ever prevail with him to consent to any one act, till the conditions of the whole peace were concluded, they began to despair of an accommodation. In this juncture the officers of the army sent a message to the houses, assuring them, that they would live and die with them in settling the nation either with or without the

\* Rushworth, p. 880. Rapin, vol. 2. p. 541.

except the eighth, relating to the three creeds. That nothing contained in this ordinance shall extend to Popish recusants\*.<sup>6</sup> October 14, they agreed further, "that such tender consciences should be freed, by way of indulgence, from the penalty of the statute for the Presbyterian government, for their nonconformity, who do meet in some other congregation for the worship of God on the Lord's day, and do nothing against the laws and peace of the kingdom, and that none others shall be freed from the penalty of the statute of Eliz. cap. 2." October 16, the commons voted, "that the indulgence granted to tender consciences should not extend to tolerate the use of common prayer in any part of the kingdom†." Which was against the sense of the army, who were for a general indulgence, as appears from the declaration of the agitators, dated November 1, in which they say, that "matters of religion and the ways of God's worship, are not at all intrusted by us to any human power, because therein we cannot omit or exceed a title of what our consciences dictate to be the mind of God, without wilful sin; nevertheless, the public way of instructing the nation, so it be not compulsive, is left to their discretion‡." Here was a fair plan of accommodation, but no ordinance was brought into the house to confirm these resolutions. November 8, both houses agreed to the addition of some new propositions. As,

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\* p. 841.

† Ibid. p. 842.

‡ Ibid. p. 160.



the blame upon the parliament; but though there were ill instruments on both sides, and there might be no real occasion to rip up the misdemeanours of the king's government from the beginning, yet it is hardly possible for the art of man to justify his majesty's conduct before the war, or to vindicate his prudence and sincerity in his treaties afterward; the design of commencing a new war being evidently at this time concerted and agreed upon, with his majesty's allowance, in pursuance of the Scots treaty, while he was amusing both the parliament and army with overtures of peace.

Among the ordinances that passed this year for reformation of the church, none occasioned so much noise and disturbance as that of June 8, for abolishing the observation of saints' days, and the three grand festivals of Christmas, Easter, and Whitsuntide; the ordinance says, "Forasmuch as the feast of the nativity of Christ, Easter, Whitsuntide, and other festivals, commonly called holy-days, have been heretofore superstitiously used and observed; be it ordained, that the said feasts, and all other festivals, commonly called holy-days, be no longer observed as festivals; any law, statute, custom, constitution, or canon, to the contrary in anywise notwithstanding\*.

"And that there may be a convenient time allotted for scholars, apprentices, and other servants, for their recreation, be it ordained, that all scholars, apprentices, and other servants, shall, with the leave of their masters, have such convenient reasonable recreation, and relaxation from labour, every second Tuesday in the month throughout the year, as formerly they used to have upon the festivals; and masters of scholars, apprentices, and servants, shall grant to them respectively such time for their recreation, on the aforesaid second Tuesday in the month, as they may conveniently spare from their extraordinary necessary service and occasions; and if any difference arise between masters and servants concerning the liberty hereby granted, the next justice of peace shall reconcile it."

The king was highly displeased with this ordinance; and therefore while the affair was under debate, he put this query to the parliament-commissioners at Holmby-house, April, 23, 1647.

I desire to be out-resolved of this question, Why the new reformers discharge the keeping of Easter? My reason for this query is, "I conceive the celebration of this feast was instituted by the same authority which changed the Jewish sabbath into the Lord's day or Sunday, for it will not be found in Scripture where Saturday is discharged to be kept, or turned into the Sunday; wherefore it must be the church's authority that changed the one and instituted the other; therefore my opinion is, that those who will not keep this feast may as well return to the observation of Saturday, and refuse the weekly Sunday. When any body can

\* Seobel, p. 128.

shew me that herein I am in an error, I shall not be ashamed to confess and amend it; till when you know my mind \*. C. R."

Sir James Harrington presented his majesty with an answer to this query, in which he denies, that the change of the sabbath was from the authority of the church, but derives it from the authority and example of our Saviour and his apostles in the New Testament; he admits, that if there was the like mention of the observation of Easter, it would be of divine or apostolical authority; but as the case stands, he apprehends with great reason, that the observation of the Christian sabbath, and of Easter, stands upon a very different footing.

The changing the festival of Christmas into a fast last winter, was not so much taken notice of, because all parties were employed in acts of devotion; but when it returned this year there appeared a strong propensity in the people to observe it; the shops were generally shut, many Presbyterian ministers preached; in some places the common-prayer was read, and one or two of the sequestered clergy getting into pulpits prayed publicly for the bishops; several of the citizens of London, who opened their shops, were abused; in some places there were riots and insurrections, especially in Canterbury, where the mayor, endeavouring to keep the peace, had his head broke by the populace, and was dragged about the streets; the mob broke into divers houses of the most religious in the town, broke their windows, abused their persons, and threw their goods into the streets, because they exposed them to sale on Christmas-day†. At length their numbers being increased to above two thousand, they put themselves into a posture of defence against the magistrates, kept guard, stopped passes, examined passengers, and seized the magazine and arms in the town-hall, and were not dispersed without difficulty. The like disorders were at Ealing in Middlesex, and in several other counties. The parliament was alarmed at these disorders, and therefore commanded all Papists and delinquent clergymen to retire without the lines of communication, and punished some of the principal rioters as a terror to the rest, it being apparent that the king's party took advantage of the holy-days to try the temper of the people in favour of his release, for during the space of the following twelve years, wherein the festivals were laid aside, there was not the least tumult on account of the holidays, the observation of Christmas being left as a matter of indifference.

The war being thought to be at an end, many of the clergy who had followed the camp returned home, and endeavoured to repossess themselves of their sequestered livings, to the prejudice of those whom the parliament had put into their places; they petitioned the king while he was with the army, and in a state of honour and dignity, to take their poor distressed condition into

\* Relig. Car. p. 370.

† Rushworth, p. 948.



his gracious consideration. His majesty recommended them to the general, at the very time when the difference between the parliament and army was subsisting, upon which they represented their grievances to him in a petition, shewing, that "whereas for divers years they had been outed of their livings, contrary to the fundamental laws of the land, by the arbitrary power of committees, whose proceedings have usually been by no rule of law, but by their own wills; most of them having been turned out for refusing the covenant, or adhering to the king, and the religion established, and of those, divers never called to answer, and scarce one had articles proved by oath, or other legal process; by which means your petitioners are reduced to extreme want and misery; and whereas those who are put into our places labour to stir up the people to involve the kingdom in a new war, and are generally men ignorant and unable to instruct the people; and many of them scandalous in their practices, if impartially examined, and divers of them hold three or four of the best benefices, whilst divers other churches are void, and without any constant preacher. And forasmuch as the main profit of our benefices consists in the harvest which is now at hand, which many of the present possessors, if they could receive, would presently be gone, whereby the burden of the cure will lie upon your petitioners, having nothing to live upon the next year. Your petitioners therefore pray, that your excellency would make stay of the profits of the harvest, that those of us that are charged with any legal scandal may come to a just trial, and if we are found innocent may enjoy our rights, according to the known laws of the land \*."

By this bold petition, it is evident these gentlemen were encouraged to hope, that the army would carry their resentments so far as to unravel all they had been doing for five years; that they would not only renounce the covenant, but disclaim the proceedings of their committees, and even countenance the clergy's adhering to the king; and no doubt, if his majesty had complied with the proposals of the army, he might have made good terms for them; for the general received them with respect, and having debated their address in council, proposed it to the parliament, that the estates of all sequestered persons, including the clergy, should remain in the hands of the tenants till a general peace. Upon which the old incumbents grew very troublesome, forbidding the parishioners to pay their tithes, and threatening the present possessors of their livings with legal prosecutions.

On the other hand the Presbyterian clergy addressed the general August 12, a few days after the parliament and army were united, with a complaint, that "divers delinquent ministers, who had been put out of their livings, did now trouble and seek to turn out those ministers, whom the parliament had put in; and

\* *Sufferings of the Clergy*, p. 145.

particularly, that Dr. Layfield, by a counterfeit warrant from the general, had endeavoured to remove a minister from his benefice in Surrey." The general and his council declared their dislike of these proceedings, and promised to write to the parliament, that such offenders may be brought to punishment, which he did accordingly. The difference between the parliament and army being now in a manner compromised, which cut off the expectations of the clergy, August 19, the lords and commons acquainted the general, that they would take care for the punishment of those delinquent ministers and others, by whose practices ministers put into livings by the parliament had been disquieted and turned out; and on the 23rd of the same month they passed an ordinance, setting forth "that whereas divers ministers in the several counties had been displaced by authority of parliament, for notorious scandals and delinquency, and godly, learned, and orthodox ministers had been placed in their room; and whereas the said scandalous and delinquent ministers, by force, or otherwise, had entered upon the churches, and gained possession of the tithes, &c. the lords and commons did therefore ordain, that all sheriffs, mayors, committees, &c., do forthwith apprehend such ministers, and all such persons as have been aiding and abetting to them, and commit them to prison, there to remain, till those they had thus dispossessed and molested, should receive satisfaction for their damages; and that the said sheriffs, &c. do restore those molested ministers to the quiet possession of their respective places, and do in case of need raise the trained-bands to put this ordinance in execution; and do also take effectual course that the tithes, profits, &c. be for the future duly paid to those ministers put in by parliament, &c. And if any such disturbance should hereafter be given, the offender was to suffer for every such disturbance one month's imprisonment."

However, some small favour was shewn, about this time, to those bishops and others, who had lived peaceably, and been little more than spectators of the distracting miseries of their country; the committee was ordered to make payment of the 800*l.* per year granted to the bishop of Durham, the real estate of the pious bishop Hall, who had lately published his *Hard Measure*, was discharged; archbishop Usher had an allowance of 400*l.* per annum, till he could be otherwise provided for: and was soon after allowed to be preacher at Lincoln's Inn, only upon taking the negative oath. But the bishops were not much considered in these donations. The commissioners of the great seal were ordered to fill up the vacant livings in the gift of the crown, without obliging the incumbents to take the covenant; but the new disturbances which arose in favour of the captive king, brought down new severities upon the episcopal clergy, before the end of the following year\*.

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\* Rushworth, p. 831. 937. 948. 958.



they were too long and had too little learning; because they prayed very coldly for the king, but were very earnest for a blessing upon the councils and arms of the parliament, and did not always conclude with the Lord's prayer; because they reflected on some of the heads of the university, calling them dumb dogs, having a form of religion without the power; and, because their manner of delivery was rather theatrical than serious: nevertheless, their auditories were crowded, though none of the heads of colleges or senior scholars attended."

The ministers were very diligent in the discharge of their trust, preaching twice every Lord's day; and that they might gain the affections of the people, set up a weekly conference every Thursday, in which they proposed to solve such objections as should be raised against their new confession of faith and discipline, and to answer any other important cases in divinity: the question or case was to be propounded the week before, that it might be well considered; a moderator also was appointed to keep order, who began and concluded with a short prayer, and the whole was conducted with decency and gravity\*. But several of the scholars ridiculed their proceedings, and by way of contempt called their place of meeting, the scruple shop; however, it was frequented by great numbers of people, some of whom were prevailed with to renounce the Oxford oath; and others to take the solemn league and covenant. They met with some little disturbance from one Erbury, a turbulent Antinomian, and chaplain in the garrison; but upon the whole, when the ministers returned to London, they declared, the citizens shewed them a great deal of respect, although the university poured all the contempt upon them imaginable, so that they apprehended themselves to have the same lot as Saint Paul had at Athens, Acts xvii. 32. 34, "Some mocked them, others slighted them, but certain clave to them, and believed †."

There being no prospect of reforming the university by these methods, the two houses resolved to proceed upon a visitation, which they apprehended they might undertake without the king, by virtue of the fourteenth article of their recapitulation, which says "that the chancellor, masters, and scholars, of the university, and all heads, governors, masters, fellows, and scholars, of the colleges, halls, bodies corporate, and societies, of the said university, and the public professors, readers, and orators, thereof, and all other persons belonging to the said university, shall and may, according to their statutes, charters, and customs, enjoy their ancient form of government, subordinate to the immediate authority and power of parliament, and that all the rights, privileges, franchises, lands, tenements, houses, rents, revenues, liberties, debts, goods, and chattels, &c. belonging to the said university

\* Suff. Cler. p. 125. Minist. Account, p. 6. *Vol. X. of the Hist. of the Puritans.*

† Minist. Account, p. 52.

institution. Or, (2.) At least that episcopal aristocracy hath a fairer claim to a divine institution than any other form of church-government. (3.) That episcopal government has continued in the church without interruption for fifteen hundred years, therefore to extirpate it would give advantage to the Papists, who are wont to charge us with a contempt of antiquity, and love of novelty, and it would diminish the just authority due to the consent and practice of the Catholic church. (4.) Besides, we cannot swear to the extirpating this government, because we have subscribed the thirty-nine articles, one of which says, the book containing the form of consecration has nothing in it contrary to the word of God. We have been ordained by bishops; we have petitioned the parliament for the continuance of them; and some of us hold our livelihoods by the titles of deans, deans and chapters, &c. (5.) We are not satisfied that the inconveniences of the new government will be less than the old, the house of commons having remonstrated [December 15, 1641], that it was far from their purpose to abolish this government, but only to regulate it, and that it was a sign of malignancy to infuse into the people that they had any other meaning. Lastly, In respect of our obligation to his majesty, having acknowledged him to be supreme governor in all causes ecclesiastical, we cannot endeavour to extirpate this government without the royal assent, which we are so far from desiring that we are continually praying, that the king may not be prevailed with to do an act so prejudicial to his conscience and honour, and which, by his coronation-oath, he is bound to preserve\*. By the laws of the land there are sundry privileges and emoluments arising to the crown from the ecclesiastical estate, which are a considerable part of the revenue, which by the extirpation of prelacy will be cut off; whereas we are bound by the oath of allegiance to maintain the king's honour and estate. And after all, the prelatical government is best suited to monarchy, insomuch that king James used to say, No bishop, no king."

*Objections to the third Article.*

"We are dissatisfied with the limitation of our loyalty in these words, 'in the preservation and defence of the true religion, and liberties of the kingdom;' because no such limitation is to be found in the oath of allegiance, nor in the word of God; because it leaves the duty of the subject loose, and the safety of the king uncertain. The conscience of a Papist, or sectary, may swallow an oath with such a limitation, but the conscience of a good Protestant cannot but strain at it†."

*Objections to the fourth Article.*

They reply, "That the imposing the covenant in this article may lay a necessity upon the son to accuse the father, in case he

\* Bishop Sanderson's Life, Appendix, p. 197.

† Ibid. p. 201.



be a malignant, which is contrary to religion, nature, and humanity; or it may open a way for children that are sick of their fathers, to effect their unlawful intentions, by accusing them of malignancy; besides, the subjecting ourselves to an arbitrary punishment, at the sole pleasure of such uncertain judges as may be deputed for that effect, is betraying the liberty of the subject\*."

*Objections to the fifth Article.*

"We cannot acknowledge the happiness of such a peace as in the article is mentioned, for no peace can be firm and well-grounded, unless the respective authority, power, and liberty; of king, parliament, and subject, be preserved full and entire, according to the known laws and respective customs of the kingdom, before the beginning of these distractions†."

*Objections to the sixth Article.*

They say, "We are not satisfied, that the cause of our joining in covenant for the prosecution of the late war, was the cause of religion, liberty, and peace, of the kingdom, or that the glory of God and the honour of the king were concerned in it. And if it was, we are not satisfied that it ought to be supported and carried on by such means as are destitute of all warrant from the word of God, or the laws of the realm‡."

In conclusion, say they, "Our hearts tremble to think that we should be required to pray, that other Christian churches may be encouraged by our example to join in the like covenant to free themselves from the antichristian yoke, for we do not know any antichristian yoke we were under; nor do we yet see such good fruits of this covenant among ourselves as to invite us to pray, that other churches should follow our example; it is as if we should pray, that the God of love and peace would take away all love and peace, and set the Christian world in a combustion; that he would render the reformed religion odious to the world; that Christian princes might be provoked to use more severity towards those of the reformed religion, if not to root it out of their dominions; for the yoke of antichrist, if laid upon subjects by their lawful sovereigns, is to be thrown off by Christian boldness in confessing the truth, and suffering for it, not by taking up arms, or violent resisting of the higher powers."

After these remarks upon the several articles, they take notice,

(1.) Of the following seeming contradictions in that covenant, as, "The preserving and yet reforming one and the same reformed religion. The reforming church-government according to the word of God, and yet extirpating that government which we apprehend agreeable to it. The extirpating heresy and schism, and

\* Bishop Sanderson's Life, Appendix, p. 203. † Ib. p. 206. ‡ Ib. p. 207.

yet dissolving that government in the church, the want of the due exercise of which has been the occasion of the growth of these evils. The preserving the liberties of the kingdom, and yet submitting to a covenant and oath not established by law \*."

(2.) They observe some dark and doubtful expressions which they do not well understand; as, "Who are the common enemies? Which are the best reformed churches? Who are malignants? How far the hindering reformation may be extended, &c. †"

(3.) By the use that has been made of the covenant, they apprehend "the conduct of the parliament to be contrary to the meaning of it, for instead of reforming the worship and service of the church they have quite abolished it; instead of reforming the discipline of the church, it is quite destroyed, or put upon such a foot as is not agreeable to the word of God, or the example of any church since the creation. Instead of extirpating heresy and profaneness, little or nothing has been done towards it, but only the extirpation of prelacy, and something else that looks so like sacrilege (say they) that we do not venture upon it. And as for the preservation of the king's honour and estate in defence of the true religion and liberties of the kingdom, though we apprehend all other things should be subordinate to it, yet by some bold speeches that have been made we are afraid nothing less is intended."

*Of the Salvos for taking the Covenant.*

(1.) "It has been said, that we may take it in our own sense. But this we apprehend contrary to the nature and end of an oath; contrary to the end of speech; contrary to the design of the covenant, and contrary to the solemn profession at the conclusion of it, viz. That we shall take it with a true intention to perform the same, as we shall answer it to the Searcher of all hearts at the great day. Besides, this would be Jesuitical; it would be taking the name of God in vain; and it would strengthen the objection of those who say, There is no faith to be given to Protestants ‡.

(2.) "It has been said, we may take the covenant with these salvos expressed, So far as lawfully I may, so far as it is agreeable to the word of God, and the laws of the land, saving all oaths by me formerly taken, &c. which is no better than vile hypocrisy; for by the same rule one might subscribe to the council of Trent, or the Turkish Alcoran.

(3.) "It is said, that we may take the covenant in our present circumstances, notwithstanding our allegiance to the king, because protection and subjection are relatives, and the king being unable to protect us any longer, we are free from subjection to him. But we answer, that the king's inability to perform his duty does

\* Sanderson's Life, Appendix, p. 211.

‡ Ibid. p. 221, &c.

† Ibid. p. 213.



not discharge the subject from his, as long as he is able; much less when the non-protection on the king's part is not from want of will, but of power.

(4.) "It is said, that the parliament being the supreme judicatory of the kingdom, wheresoever the king is in person he is always present with his parliament in power; as what is done in courts of justice is not done without the king, but by him, though not personally present. But we deny the king to be always present with his parliament in power, for then his actual royal assent would not be necessary to the making of laws, but only a virtual assent included in the votes of both houses: the houses need not then desire the royal assent, nor can the king be supposed to have a negative voice. Besides, the statute which provides, that the king's assent to any bill signified under his great seal shall be as valid as if he were personally present, imports, that the king's power is not present with his two houses, otherwise than it appears in his person, or under his great seal. As to the analogy of other courts, we conceive it of no consequence; in other courts the judges are the king's servants, and do all in his name, and by his authority; they sit there not by any proper interest of their own, but in right of the king, whose judges they are; but the parliament is the king's council, and have their several proper rights and interests distinct from the king's, by virtue of which they are distinct orders and conservators of their several interests. Besides, the judges of other courts are bounded by the laws in being, and therefore the king's personal presence is not necessary; but the case is quite different in making new laws, for the making new laws is the exercise of a legislative rather than a judicial power; now, no act of legislative power can be valid, unless it be confirmed by such person or persons as the sovereignty of that community resideth in. Upon the whole, since all judicial power is radically in the king, who is therefore called the fountain of justice, it seems to us, that neither the judges in inferior courts, nor the lords and commons assembled in parliament, may exercise any other power over the subjects of this realm, than such as by their respective patents and writs issued from the king, or by the established laws of the land, formerly assented to by the kings of this realm, does appear to be derived from them; by which writs, patents, and laws, it does not appear that the two houses of parliament have any power without the king, to order, command, or transact; but only with him to treat, consult, and advise, concerning the great affairs of the kingdom."

*Concerning the negative Oath.*

They say, "We cannot take it without giving up our liberties, without abusing our natural allegiance, and without diminution of his majesty's just power and greatness \*."

\* Sanderson's Life, Appendix, p. 243.

*Concerning the Discipline and Directory.*

"We are not satisfied to submit to the ordinance for establishing the Directory, because it has not the royal assent, and yet abrogates acts of parliament made by the joint consent of king, lords, and commons, especially one, which annexes the whole power of ordering all ecclesiastical matters for ever to the imperial crown of this realm; now we are not satisfied that a less power can have a just right to abrogate a greater.

"If under the title of discipline be comprehended the government of the church also, we declare, we cannot consent to the eradication of a government of such reverend antiquity, which has from time to time been confirmed by the laws of the kingdom, and which the kings at their successive coronations have sworn to preserve. If the word discipline be distinguished from government, as in the first article of the covenant, yet are we not satisfied to place so much power in the hands of persons (many of whom may be of mean quality) for the keeping back thousands of well-meaning Christians from the blessed sacrament, when St. Paul, in a church abounding with sundry errors and corruptions in faith and manners, satisfies himself with a general declaration of the danger of unworthy communicating, and enjoins every particular person a self-examination, without empowering either ministers or lay-elders to exclude any from the communion upon their examination.

"As to the Directory itself, we cannot, without regret of conscience, and during the continuance of the present laws, consent to the taking away the Book of Common Prayer, which we have subscribed, and solemnly promised to use no other; which we believe contains in it nothing but what is justly defensible; and which we think ourselves able to justify against all Papists and sectaries. Besides, we look upon the statute enjoining the use of the Common Prayer to be still in force, and will always remain so, till it shall be repealed by the same good and full authority by which it was made; that is, by the free consent of king, lords, and commons \*."

By comparing these reasons with those of the parliament-divines for taking the covenant, the reader will be capable of judging how far they are conclusive. Many of them are unquestionably good, and had the constitution remained entire, and the laws had their free and ordinary course, as in times of peace, most of them would have been conclusive; but how far the necessity of the war, and the right of self-defence, will vindicate the extraordinary proceedings of parliament, I shall not take upon me to determine for others. I am no advocate for the particulars of the covenant, any more than for the high and arbitrary principles of government contained in the university's reasons. The consciences of men are not under the direction of their wills, but

\* Bishop Sanderson's Life, Appendix, p. 244.



of their judgments, and therefore ought not to be constrained by oaths, protestations, or covenants, to attempt those things in matters of religion for which their own hearts must condemn them. Religion and civil government stand upon a distinct foundation, and are designed for very different ends; the magistrate may demand security for men's peaceable submission to the civil government, but ought not to force them to be active against the light of their consciences in matters of religion. The university's reasons are not built upon these principles; for those gentlemen were as much for the coercive power of the magistrate in cases of conscience as the Puritans; and whereas they say, the allegiance of the subject, and the protection of the king, are not relatives; and that the king's inability to discharge his duty does not absolve the subject from his, I shall only observe, that upon these principles the crown can never be forfeited; a coronation-oath is of very little significance; nor may a nation submit to a conqueror even when they can resist no longer. Inability alone in the prince, I grant, may not in all cases absolve us from our allegiance; but tyranny, oppression, and open attempts to subvert the whole constitution and laws of the country, certainly may; upon what other ground can we justify the late revolution, and the present happy establishment of the Protestant succession? When the Oxford divines at the period of the revolution had taken the oath of allegiance to king James II. and the corporation-oath, which says, "it is not lawful to resist or take up arms against the king upon any pretence whatsoever;" what could absolve them from these engagements, or justify their joining the prince of Orange with a foreign force against a king upon the throne? However, the stand now made by the university was a bold and adventurous attempt, for which they received the applause of the Oxford parliament in the year 1665, when it was resolved, "that the thanks of the house of commons be returned to the chancellor, masters, and scholars of the university of Oxford, for their bold opposition to the rebellious visitors; for refusing to submit to their league and covenant; and lastly, for the illustrious performance they printed, entitled, 'The judgment of the university,' &c. in which they have learnedly maintained the king's cause." This was the fashionable doctrine of king Charles II.'s reign, when the laws were suspended and infringed, and arbitrary power in the prince rose to such a height as in the next reign issued in a revolution of government. The university of Oxford did all they could to countenance the triumphs of the prerogative; for in the year 1663 they passed a decree in full convocation, affirming the necessity of passive obedience and non-resistance in the strongest terms; but how soon were the tables turned! when within five years these very gentlemen thought fit to enter into an association to adhere to the prince of Orange against the king upon the throne, and have since had the mortification to see that same decree burnt by the hands of the common hangman.

To return to the visitation, May 15, a citation was issued in the names of ten of the visitors then in London, to the proctors, and heads of houses, or their vice-principals, requiring them and all the officers, scholars, &c. to appear in the convocation-house, on Friday June 4, between the hours of nine and eleven in the morning, and to bring with them a list of the several names of those who were absent, and of the colleges to which they belonged. At the time appointed the reverend Mr. Harris, Mr. Reynolds, Mr. Rogers, Mr. Henry Wilkinson, Mr. Cheynel, Mr. John Wilkinson, Mr. Dunce, and Mr. Draper, &c. opened the visitation with prayers and a sermon at St. Mary's church, from whence they proceeded to the convocation-house, where the vice-chancellor [Dr. Fell] and a few of the scholars had been waiting a considerable time; but perceiving the visitors were like to outstay the precise hour of summons, he ordered the sexton to set the clock exactly with the sun, and as soon as it struck eleven he dismissed the scholars, marching away with the beadles before him; the visitors met them in their return at the *pro-scholium*, where the passage being narrow, the beadle cried out, "Make way for Mr. vice-chancellor," which the visitors did. And the vice-chancellor having moved his hat, as he passed by said, "How do ye, gentlemen, it is past eleven o'clock." But the visitors went forward, and having consulted about an hour upon the vice-chancellor's behaviour, resolved to adjourn till Michaelmas, and return to London, in order to obtain farther powers from the parliament. In the meantime Dr. Fell summoned a committee of the heads of the several colleges, who came to the following resolutions:

1. That no man should appear before the visitors unless the summons had five names.
2. That no one should appear upon a holy day.
3. That he should demand by what authority he was summoned; and, if denied an answer, should presently depart.
4. That if they declared their authority, he should answer with a *salvis juribus regni, academice et collegii*, &c.
5. That he should demand his accusation in writing, as also time to put in his answer, and should return it in writing, and no otherwise. Lastly, That he should utterly refuse to answer on oath, because that would be to accuse himself, and would plainly revive the oath *ex officio*.

Such was the stout behaviour of these few academics, "who (according to Dr. Walker) poured upon the visitors all manner of contempt and scorn, though they knew their very lives and fortunes were at their disposal. The university (says he) held out a siege of more than a year and half; the convocation-house proved a citadel, and each single college a fort not easy to be reduced \*;" a clear evidence of the humanity of the visitors,

\* Sufferings of the Clergy, p. 122, 123, 128, &c.



shall be enjoyed by them respectively as aforesaid, free from sequestrations, fines, taxes, and all other molestations whatsoever, under colour of any thing relating to the present war. And if any removal shall be made by the parliament of any head or other members of the university, that they shall enjoy their profits for six months after the surrendering of Oxon, and shall have convenient time allowed them for the removal of themselves and their goods; provided that this shall not extend to retard any reformation there intended by the parliament, or give them any liberty to intermeddle with the government\*." But the heads of colleges did not think themselves obliged by this capitulation, nor any thing contained in it, because they were not made parties, nor called upon to give their separate consent to the articles, though they took advantage of every thing that was stipulated in their favour†."

May 1, 1647, an ordinance passed both houses for visiting the university, and nominating the following gentlemen, lawyers, and divines, for that service, viz.†

Sir Nath. Brent	William Draper, of Lincoln's-Inn, esq.	Rev. Dr. John Wilkinson
Sir William Cobb	Gabriel Beck, of Lincoln's-Inn, esq.	Mr. Henry Wilkinson
William Prynne, of Lincoln's-Inn, esq.	John Cartwright, esq.	Mr. Edw. Reynolds
John Pulliston, of Lincoln's-Inn, esq.	Mr. William Tripping	Mr. Rob. Harris
Barth. Hall, of the Middle Temple, esq.	Mr. George Greenwood	Mr. Edw. Corbet
Tho. Knight, of Lincoln's-Inn, esq.	Mr. John Packer	Mr. Fran. Cheynel
Samuel Dunch, esq.	Mr. William Cope	Mr. John Wilkinson
	Mr. Jon Heling, of Gray's-Inn	Mr. John Mills
		Mr. Christopher Rogers.

The ordinance empowers the visitors, or any five of them, "to hear and determine all crimes, offences, abuses, and disorders, which by the laws and statutes of this realm, or by the customs and statutes, rightly established, of that university, or by the several statutes of the respective colleges or halls, may lawfully be inquired of, heard, or determined, in the course and way of visitation of the university, or of the colleges, halls, masters, scholars, fellows, members, and officers, or any of them, respectively. They are more particularly to inquire by oath concerning those that neglect to take the solemn league and covenant, and the negative oath, being tendered to them by such as are authorised by parliament; and concerning those who oppose the execution of the ordinance of parliament, concerning the discipline and directory; and those who shall teach or write against any point of doctrine, the ignorance whereof doth exclude from the Lord's supper. They are likewise to inquire upon oath, concerning all such who have taken up arms against the parliament. And they are to certify to a committee of the house of lords and commons mentioned in the ordinance, what masters, scholars, fellows,

\* Rushworth, p. 283.

† Fuller's Appeal, p. 70.

‡ Scobel's Collect. part 1. p. 116. Suff. Cler. p. 126.

members, or officers, have committed any of the offences above mentioned, and the quality and condition of the offenders, that such farther proceedings may be had thereupon as the committee of lords and commons shall think fit. The visitors are farther empowered to examine and consider all such oaths as are enjoined by the statutes of the university, or any of the halls and colleges, as are not fit to be taken, and present their opinion to the committee above mentioned; provided always, that if any of the masters, scholars, fellows, &c. shall find themselves aggrieved by any sentence given by the visitors, it shall be lawful for them to appeal to the committee of lords and commons, who are authorised finally to hear and determine every such case brought before them."

Before the visitation could take place the vice-chancellor, Dr. Fell, summoned a convocation [June 1], wherein it was agreed not to submit to the parliament-visitors. A paper of reasons against the covenant\*, the negative oath, and the directory, drawn up chiefly by Dr. Sanderson, was also consented to, and ordered to be published to the world both in Latin and English, against the time the visitors were to come down, under the title of "Reasons of the present judgment of the university of Oxford, concerning the solemn league and covenant, the negative oath, and the ordinances concerning discipline and worship, approved by general consent in a full convocation, June 1, 1647;" an abstract of which I shall now set before the reader†.

TO THE PREFACE OF THE COVENANT [transcribed under the year 1648].

They declare, "We cannot say the rage, power, and presumption, of the enemies of God (in the sense there intended) are increased. Nor that we have consented to any supplication or remonstrance to the purposes therein expressed. We do not think the taking the covenant to be a lawful and probable means to preserve ourselves and our religion from ruin; nor do we believe it to be according to the commendable practice of these kingdoms, or the example of God's people in other nations."

#### TO THE COVENANT IN GENERAL.

"We are of opinion, that a covenant ought to be a voluntary contract, and not imposed. Now we cannot voluntarily consent to this covenant without betraying our liberties, one of which is, not to be obliged to take any oath but what is established by act

\* Dr. Sanderson methodized and put into form this paper, or manifesto; and added what referred to reason and conscience. The law part was drawn up by Dr. Zouch, a civilian. But, on the whole, twenty delegates, by the appointment of the university, were concerned in this composition. Amongst whom were, Dr. Sheldon, afterward archbishop of Canterbury, Dr. Hammond, Dr. Sanderson, and Dr. Morley, afterward bishop of Winchester. Walton's Life of Sanderson, 1678, p. 78, 79.—Ed.

† Bp. Sanderson's Life, Appendix, p. 169.



of parliament; and without acknowledging in the imposers a greater power than has been challenged in former time, or can subsist with our former protestation. But if the covenant were not imposed, but only recommended, we apprehend the taking it to be inconsistent with our loyalty to the king, especially since he has by proclamation forbid it."

#### OBJECTIONS TO THE SEVERAL ARTICLES OF THE COVENANT.

##### *To the first Article.*

"We cannot swear to preserve the religion of another kingdom (Scotland), whereof we have very little understanding, which, as far as we are acquainted with it, is much worse than our own in worship, discipline, and government, and in doctrine not at all better; wherein there are some things so far tending to superstition and schism, that it seems reasonable to us that we should call upon them to reform, rather than we should be bound to preserve it entire.

"Neither are we satisfied in the present reformation of religion in our own kingdom, in doctrine, worship, and discipline, because, (1.) It gives a manifest scandal to the Papist and separatist, by giving up the cause for which the martyrs and bishops have contended since the Reformation; by justifying the Papists in their recusancy, who reproach us, by saying, we know not what religion we are of; nor where to stop, since we have left them; and, that ours is a parliamentary religion. Besides, this would be a tacit acknowledgment, that there has been something in the church of England not agreeable to the word of God, and so justify the separation, and condemn all the penal laws that have been made to oblige people to conform \*. (2.) By the intended reformation we should wrong ourselves, by swearing to reform that which we have formerly by our subscriptions approved, and which we do still believe to be more agreeable to the word of God than that which by this covenant we must swear to preserve; and to which, by the laws still in being, every clerk, at his admission to a benefice, is bound to give his consent. (3.) Besides, we would be in danger of perjury, because it is contrary to our former protestation, which obliges us to maintain the doctrine of the church of England, which may take in the whole establishment; and it is contrary to the oath of supremacy, which gives the sole power to the king in matters ecclesiastical."

##### *Objections to the second Article.*

"We are very much grieved to see the prelacy of the church of England ranked with Popery, superstition, heresy, schism, and profaneness, with an intimation, that it is contrary to sound doctrine, or the power of godliness†. Nor can we swear to the extirpation of it, because, (1.) We believe it to be of apostolical

\* Bishop Sanderson's Life, Appendix, p. 179.

† Ibid. p. 184.

institution. Or, (2.) At least that episcopal aristocracy hath a fairer claim to a divine institution than any other form of church-government. (3.) That episcopal government has continued in the church without interruption for fifteen hundred years, therefore to extirpate it would give advantage to the Papists, who are wont to charge us with a contempt of antiquity, and love of novelty, and it would diminish the just authority due to the consent and practice of the Catholic church. (4.) Besides, we cannot swear to the extirpating this government, because we have subscribed the thirty-nine articles, one of which says, the book containing the form of consecration has nothing in it contrary to the word of God. We have been ordained by bishops; we have petitioned the parliament for the continuance of them; and some of us hold our livelihoods by the titles of deans, deans and chapters, &c. (5.) We are not satisfied that the inconveniences of the new government will be less than the old, the house of commons having remonstrated [December 15, 1641], that it was far from their purpose to abolish this government, but only to regulate it, and that it was a sign of malignancy to infuse into the people that they had any other meaning. Lastly, In respect of our obligation to his majesty, having acknowledged him to be supreme governor in all causes ecclesiastical, we cannot endeavour to extirpate this government without the royal assent, which we are so far from desiring that we are continually praying, that the king may not be prevailed with to do an act so prejudicial to his conscience and honour, and which, by his coronation-oath, he is bound to preserve\*. By the laws of the land there are sundry privileges and emoluments arising to the crown from the ecclesiastical estate, which are a considerable part of the revenue, which by the extirpation of prelacy will be cut off; whereas we are bound by the oath of allegiance to maintain the king's honour and estate. And after all, the prelatial government is best suited to monarchy, insomuch that king James used to say, No bishop, no king."

*Objections to the third Article.*

"We are dissatisfied with the limitation of our loyalty in these words, 'in the preservation and defence of the true religion, and liberties of the kingdom;' because no such limitation is to be found in the oath of allegiance, nor in the word of God; because it leaves the duty of the subject loose, and the safety of the king uncertain. The conscience of a Papist, or sectary, may swallow an oath with such a limitation, but the conscience of a good Protestant cannot but strain at it†."

*Objections to the fourth Article.*

They reply, "That the imposing the covenant in this article may lay a necessity upon the son to accuse the father, in case he

\* Bishop Sanderson's Life, Appendix, p. 197.

† Ibid. p. 201.



be a malignant, which is contrary to religion, nature, and humanity; or it may open a way for children that are sick of their fathers, to effect their unlawful intentions, by accusing them of malignancy; besides, the subjecting ourselves to an arbitrary punishment, at the sole pleasure of such uncertain judges as may be deputed for that effect, is betraying the liberty of the subject\*."

*Objections to the fifth Article.*

"We cannot acknowledge the happiness of such a peace as in the article is mentioned, for no peace can be firm and well-grounded, unless the respective authority, power, and liberty; of king, parliament, and subject, be preserved full and entire, according to the known laws and respective customs of the kingdom, before the beginning of these distractions†."

*Objections to the sixth Article.*

They say, "We are not satisfied, that the cause of our joining in covenant for the prosecution of the late war, was the cause of religion, liberty, and peace, of the kingdom, or that the glory of God and the honour of the king were concerned in it. And if it was, we are not satisfied that it ought to be supported and carried on by such means as are destitute of all warrant from the word of God, or the laws of the realm‡."

In conclusion, say they, "Our hearts tremble to think that we should be required to pray, that other Christian churches may be encouraged by our example to join in the like covenant to free themselves from the antichristian yoke, for we do not know any antichristian yoke we were under; nor do we yet see such good fruits of this covenant among ourselves as to invite us to pray, that other churches should follow our example; it is as if we should pray, that the God of love and peace would take away all love and peace, and set the Christian world in a combustion; that he would render the reformed religion odious to the world; that Christian princes might be provoked to use more severity towards those of the reformed religion, if not to root it out of their dominions; for the yoke of antichrist, if laid upon subjects by their lawful sovereigns, is to be thrown off by Christian boldness in confessing the truth, and suffering for it, not by taking up arms, or violent resisting of the higher powers."

After these remarks upon the several articles, they take notice,

(1.) Of the following seeming contradictions in that covenant, as, "The preserving and yet reforming one and the same reformed religion. The reforming church-government according to the word of God, and yet extirpating that government which we apprehend agreeable to it. The extirpating heresy and schism, and

\* Bishop Sanderson's Life, Appendix, p. 203. † Ib. p. 206. ‡ Ib. p. 207.

yet dissolving that government in the church, the want of the due exercise of which has been the occasion of the growth of these evils. The preserving the liberties of the kingdom, and yet submitting to a covenant and oath not established by law \*."

(2.) They observe some dark and doubtful expressions which they do not well understand; as, "Who are the common enemies? Which are the best reformed churches? Who are malignants? How far the hindering reformation may be extended, &c. †"

(3.) By the use that has been made of the covenant, they apprehend "the conduct of the parliament to be contrary to the meaning of it, for instead of reforming the worship and service of the church they have quite abolished it; instead of reforming the discipline of the church, it is quite destroyed, or put upon such a foot as is not agreeable to the word of God, or the example of any church since the creation. Instead of extirpating heresy and profaneness, little or nothing has been done towards it, but only the extirpation of prelacy, and something else that looks so like sacrilege (say they) that we do not venture upon it. And as for the preservation of the king's honour and estate in defence of the true religion and liberties of the kingdom, though we apprehend all other things should be subordinate to it, yet by some bold speeches that have been made we are afraid nothing less is intended."

*Of the Salvos for taking the Covenant.*

(1.) "It has been said, that we may take it in our own sense. But this we apprehend contrary to the nature and end of an oath; contrary to the end of speech; contrary to the design of the covenant, and contrary to the solemn profession at the conclusion of it, viz. That we shall take it with a true intention to perform the same, as we shall answer it to the Searcher of all hearts at the great day. Besides, this would be Jesuitical; it would be taking the name of God in vain; and it would strengthen the objection of those who say, There is no faith to be given to Protestants ‡.

(2.) "It has been said, we may take the covenant with these salvos expressed, So far as lawfully I may, so far as it is agreeable to the word of God, and the laws of the land, saving all oaths by me formerly taken, &c. which is no better than vile hypocrisy; for by the same rule one might subscribe to the council of Trent, or the Turkish Alcoran.

(3.) "It is said, that we may take the covenant in our present circumstances, notwithstanding our allegiance to the king, because protection and subjection are relatives, and the king being unable to protect us any longer, we are free from subjection to him. But we answer, that the king's inability to perform his duty does

\* Sanderson's Life, Appendix, p. 211.

‡ Ibid. p. 221, &c.

† Ibid. p. 213.



not discharge the subject from his, as long as he is able; much less when the non-protection on the king's part is not from want of will, but of power.

(4.) "It is said, that the parliament being the supreme judicatory of the kingdom, wheresoever the king is in person he is always present with his parliament in power; as what is done in courts of justice is not done without the king, but by him, though not personally present. But we deny the king to be always present with his parliament in power, for then his actual royal assent would not be necessary to the making of laws, but only a virtual assent included in the votes of both houses: the houses need not then desire the royal assent, nor can the king be supposed to have a negative voice. Besides, the statute which provides, that the king's assent to any bill signified under his great seal shall be as valid as if he were personally present, imports, that the king's power is not present with his two houses, otherwise than it appears in his person, or under his great seal. As to the analogy of other courts, we conceive it of no consequence; in other courts the judges are the king's servants, and do all in his name, and by his authority; they sit there not by any proper interest of their own, but in right of the king, whose judges they are; but the parliament is the king's council, and have their several proper rights and interests distinct from the king's, by virtue of which they are distinct orders and conservators of their several interests. Besides, the judges of other courts are bounded by the laws in being, and therefore the king's personal presence is not necessary; but the case is quite different in making new laws, for the making new laws is the exercise of a legislative rather than a judicial power; now, no act of legislative power can be valid, unless it be confirmed by such person or persons as the sovereignty of that community resideth in. Upon the whole, since all judicial power is radically in the king, who is therefore called the fountain of justice, it seems to us, that neither the judges in inferior courts, nor the lords and commons assembled in parliament, may exercise any other power over the subjects of this realm, than such as by their respective patents and writs issued from the king, or by the established laws of the land, formerly assented to by the kings of this realm, does appear to be derived from them; by which writs, patents, and laws, it does not appear that the two houses of parliament have any power without the king, to order, command, or transact; but only with him to treat, consult, and advise, concerning the great affairs of the kingdom."

*Concerning the negative Oath.*

They say, "We cannot take it without giving up our liberties, without abusing our natural allegiance, and without diminution of his majesty's just power and greatness \*."

\* Sanderson's Life, Appendix, p. 243.

*Concerning the Discipline and Directory.*

"We are not satisfied to submit to the ordinance for establishing the Directory, because it has not the royal assent, and yet abrogates acts of parliament made by the joint consent of king, lords, and commons, especially one, which annexes the whole power of ordering all ecclesiastical matters for ever to the imperial crown of this realm; now we are not satisfied that a less power can have a just right to abrogate a greater.

"If under the title of discipline be comprehended the government of the church also, we declare, we cannot consent to the eradication of a government of such reverend antiquity, which has from time to time been confirmed by the laws of the kingdom, and which the kings at their successive coronations have sworn to preserve. If the word discipline be distinguished from government, as in the first article of the covenant, yet are we not satisfied to place so much power in the hands of persons (many of whom may be of mean quality) for the keeping back thousands of well-meaning Christians from the blessed sacrament, when St. Paul, in a church abounding with sundry errors and corruptions in faith and manners, satisfies himself with a general declaration of the danger of unworthy communicating, and enjoins every particular person a self-examination, without empowering either ministers or lay-elders to exclude any from the communion upon their examination.

"As to the Directory itself, we cannot, without regret of conscience, and during the continuance of the present laws, consent to the taking away the Book of Common Prayer, which we have subscribed, and solemnly promised to use no other; which we believe contains in it nothing but what is justly defensible; and which we think ourselves able to justify against all Papists and sectaries. Besides, we look upon the statute enjoining the use of the Common Prayer to be still in force, and will always remain so, till it shall be repealed by the same good and full authority by which it was made; that is, by the free consent of king, lords, and commons \*."

By comparing these reasons with those of the parliament-divines for taking the covenant, the reader will be capable of judging how far they are conclusive. Many of them are unquestionably good, and had the constitution remained entire, and the laws had their free and ordinary course, as in times of peace, most of them would have been conclusive; but how far the necessity of the war, and the right of self-defence, will vindicate the extraordinary proceedings of parliament, I shall not take upon me to determine for others. I am no advocate for the particulars of the covenant, any more than for the high and arbitrary principles of government contained in the university's reasons. The consciences of men are not under the direction of their wills, but

\* Bishop Sanderson's Life, Appendix, p. 244.



of their judgments, and therefore ought not to be constrained by oaths, protestations, or covenants, to attempt those things in matters of religion for which their own hearts must condemn them. Religion and civil government stand upon a distinct foundation, and are designed for very different ends; the magistrate may demand security for men's peaceable submission to the civil government, but ought not to force them to be active against the light of their consciences in matters of religion. The university's reasons are not built upon these principles; for those gentlemen were as much for the coercive power of the magistrate in cases of conscience as the Puritans; and whereas they say, the allegiance of the subject, and the protection of the king, are not relatives; and that the king's inability to discharge his duty does not absolve the subject from his, I shall only observe, that upon these principles the crown can never be forfeited; a coronation-oath is of very little significance; nor may a nation submit to a conqueror even when they can resist no longer. Inability alone in the prince, I grant, may not in all cases absolve us from our allegiance; but tyranny, oppression, and open attempts to subvert the whole constitution and laws of the country, certainly may: upon what other ground can we justify the late revolution, and the present happy establishment of the Protestant succession? When the Oxford divines at the period of the revolution had taken the oath of allegiance to king James II. and the corporation-oath, which says, "it is not lawful to resist or take up arms against the king upon any pretence whatsoever;" what could absolve them from these engagements, or justify their joining the prince of Orange with a foreign force against a king upon the throne? However, the stand now made by the university was a bold and adventurous attempt, for which they received the applause of the Oxford parliament in the year 1665, when it was resolved, "that the thanks of the house of commons be returned to the chancellor, masters, and scholars of the university of Oxford, for their bold opposition to the rebellious visitors; for refusing to submit to their league and covenant; and lastly, for the illustrious performance they printed, entitled, 'The judgment of the university,' &c. in which they have learnedly maintained the king's cause." This was the fashionable doctrine of king Charles II.'s reign, when the laws were suspended and infringed, and arbitrary power in the prince rose to such a height as in the next reign issued in a revolution of government. The university of Oxford did all they could to countenance the triumphs of the prerogative; for in the year 1663 they passed a decree in full convocation, affirming the necessity of passive obedience and non-resistance in the strongest terms; but how soon were the tables turned! when within five years these very gentlemen thought fit to enter into an association to adhere to the prince of Orange against the king upon the throne, and have since had the mortification to see that same decree burnt by the hands of the common hangman.

To return to the visitation, May 15, a citation was issued in the names of ten of the visitors then in London, to the proctors, and heads of houses, or their vice-principals, requiring them and all the officers, scholars, &c. to appear in the convocation-house, on Friday June 4, between the hours of nine and eleven in the morning, and to bring with them a list of the several names of those who were absent, and of the colleges to which they belonged. At the time appointed the reverend Mr. Harris, Mr. Reynolds, Mr. Rogers, Mr. Henry Wilkinson, Mr. Cheynel, Mr. John Wilkinson, Mr. Dunce, and Mr. Draper, &c. opened the visitation with prayers and a sermon at St. Mary's church, from whence they proceeded to the convocation-house, where the vice-chancellor [Dr. Fell] and a few of the scholars had been waiting a considerable time; but perceiving the visitors were like to outstay the precise hour of summons, he ordered the sexton to set the clock exactly with the sun, and as soon as it struck eleven he dismissed the scholars, marching away with the beadle before him; the visitors met them in their return at the *proscholium*, where the passage being narrow, the beadle cried out, "Make way for Mr. vice-chancellor," which the visitors did. And the vice-chancellor having moved his hat, as he passed by said, "How do ye, gentlemen, it is past eleven o'clock." But the visitors went forward, and having consulted about an hour upon the vice-chancellor's behaviour, resolved to adjourn till Michaelmas, and return to London, in order to obtain farther powers from the parliament. In the meantime Dr. Fell summoned a committee of the heads of the several colleges, who came to the following resolutions:

1. That no man should appear before the visitors unless the summons had five names.
2. That no one should appear upon a holy day.
3. That he should demand by what authority he was summoned; and, if denied an answer, should presently depart.
4. That if they declared their authority, he should answer with *a salvo juribus regni, academice et collegii*, &c.
5. That he should demand his accusation in writing, as also time to put in his answer, and should return it in writing, and no otherwise. Lastly, That he should utterly refuse to answer on oath, because that would be to accuse himself, and would plainly revive the oath *ex officio*.

Such was the stout behaviour of these few academics, "who (according to Dr. Walker) poured upon the visitors all manner of contempt and scorn, though they knew their very lives and fortunes were at their disposal. The university (says he) held out a siege of more than a year and half; the convocation-house proved a citadel, and each single college a fort not easy to be reduced \*;" a clear evidence of the humanity of the visitors,

\* Sufferings of the Clergy, p. 122, 123. 128, &c.



and an unanswerable demonstration of the necessity of the parliament's acting with greater vigour.

The two houses having resolved to support their visitors, and enable them to go through their work, passed an ordinance August 26, empowering them "to administer the covenant, and the negative-oath: to demand the perusal of the statutes, registers, accompts, &c. and of all other papers of the university, and of the respective colleges and halls; and to seize and detain in custody any person, who after a personal citation, refused to appear and produce their books and papers after a second citation; a jury was also to be impanelled, of members of the university, above the age of twenty-one, to inquire by oath on the articles contained in the ordinance of visitation \*;" and a new commission was drawn up by Mr. Attorney-general St. John, with the great seal affixed to it, September 27, authorizing the persons above named to visit the university without any farther warrant; the commission began in the usual form, "Charles, by the grace of God, &c. to our trusty and well-beloved sir Nath. Brent, &c. Know ye, that we intending the regulation and reformation of our university of Oxford, &c." which was a very strange style considering the king was never consulted about the visitation, much less gave any consent; but the houses affected this form, from a mistaken supposition that the king was always present with his parliament, in his legislative capacity; though it served no other purpose than giving the adversary an opportunity to expose their proceedings, and charge them with assuming and acting under a forged authority.

Furnished with these new powers, the visitors returned to Oxford the latter end of September, the mayor, sheriffs, and other magistrates, being commanded to aid and assist them as there should be occasion. On Michaelmas-day a paper was fixed to the door of University-church, giving notice, that the visitation would now proceed *de die in diem*†. Next day a citation was issued to all the heads of houses, requiring them to bring in their statutes, registers, accompts, and all their public writings, to the warden's lodgings at Merton-college. The vice-chancellor was ordered to appear at the same time, to answer to such questions as should be demanded of him, and to send by the hands of the persons who served those orders, all the books and acts belonging to the university. The proctors were likewise enjoined to bring in their books, keys, and other public things in their custody. But it is not enough to say, says the Oxford antiquary, that every one of these orders was disobeyed; they were also despised and contemned. However, the vice-chancellor and heads of colleges condescended to appear at the second summons, October 6, when, instead of bringing their books and papers, they demanded to know by what authority they were summoned? upon which

\* Sufferings of the Clergy, p. 128.

† Wood's Antiq. Oxon, p. 388.

the visitors produced their commission under the broad seal, at the same time serving them with a third citation, to appear four days after with their books and papers, or with their reasons in writing why they refused so to do. Next day they sent for the keys of the convocation-house and school, and for the beadles' staves, but they were denied. The day following, the proctors appeared, and delivered a protestation, attested by a public notary, in the name of the vice-chancellor, delegates, and all the scholars, to this purpose, that "they could not own any visitor but the king, and that having sworn to maintain his right, they could not, without perjury, submit themselves to acquaint the parliament\*." Hereupon Dr. Fell the vice-chancellor, the very same day, was deprived of his vice-chancellorship, and public notice was given to the proctors, and other officers of the university, not to obey him any longer under that character; but the doctor, without regard to his deprivation, or to the prorogation of the term, which the visitors had adjourned from the 10th to the 15th instant, proceeding on the 11th to hold a congregation, and open the term as usual, was taken into custody, and some time after, by order of parliament, brought to London; immediately upon which, Dr. Potter, president of Trinity-college, ordered the beadles with their staves to attend him as pro-vice-chancellor. November 2 and 4, the several heads of colleges then present appeared before the visitors, but without their statute-books and papers, and being called in severally, were asked in their turns, Whether they approved of the *judicium universitatis*, or the reasons of the university, above mentioned? Whether they owned the power of the visitors? Or, whether they approved of the answer of the proctors in the name of the whole university?† And refusing to give a direct answer, were served with a citation to appear before the committee for the reformation of the university at Westminster the 11th instant, which they did accordingly; and having owned their approbation of the answer of the proctors in the name of the university, they tendered a paper to the committee in the name of all who had been cited, setting forth, "that what they had done was not out of obstinacy; but from conscience; and praying that in an affair of so much consequence they might be allowed time to advise with counsel." Their request being readily granted, two gentlemen of the long robe of their own nomination, viz. Mr. Hale and Mr. Chute, were appointed their counsel. The day of hearing was December 9; the position they offered to maintain was, that it was one of the privileges of the university to be subject only to a royal visitation; the counsel for the university made a learned argument upon this head; but, as Mr. Collyer observes, this question had been debated before the king in council in the year 1637, when archbishop Laud claimed a right of visiting the two universities *jure metropolitico*‡. It was then admitted,

\* Wood's Antiq. Oxon. p. 389, 390.

† Suff. Cler. p. 130.

‡ Ecclesiastical History, p. 766.



that the king might visit when he pleased; yet after a full hearing, his majesty, with the advice of his council, declared and adjudged the right of visiting both universities, as universities, to belong to the archbishop and metropolitan church of Canterbury, by themselves or commissaries, and that the universities should from time to time be obedient thereunto. Which determination of his majesty, the archbishop moved might be drawn up by counsel learned in the law, and put under the broad seal, to prevent disputes for the future. And the same was accordingly done; the university therefore lost their question in the committee. The counsel for the visitors were farther of opinion, that the kingly power was always virtually present with his great council of parliament, and that therefore they might visit; but supposing this to be a mistake, they affirmed, that the parliament had an undoubted right to reform the university by the articles of capitulation, in which they had expressly reserved this power to themselves. After a full hearing on both sides, the committee voted, that the answer of the several heads of houses, and of others of the university, was derogatory to the authority of parliament.

The Oxford divines, not satisfied with this determination, appealed soon after to the public, in a letter to the learned Mr. Selden, representative for the university, entitled "The case of the university of Oxford; or the sad dilemma that all the members thereof are put to, to be perjured or destroyed\*." The letter says, "that the only question proposed by the visitors to every single person in the university is, Whether he will submit to the power of the parliament in this visitation? To which they reply, that unless they have the personal consent of the king, they cannot submit to any visitation without danger of perjury, as appears by the words of the oath, which are, 'You shall swear to observe all the statutes, liberties, privileges, and customs of the university;' to which the scholar answers, 'I swear.' Now it being one of our privileges to be visited by none but the king, or by the archbishop of Canterbury; the archbishop being dead, it follows we can be visited by none but the king; to submit therefore to another visitation, must be a breach of our liberties, and consequently downright perjury.—They urged farther, the statutes of their several colleges, which bind them to certain rules in their electing of proctors, in the calling and meeting of convocations, in the choice of several officers in case of a vacancy, all which, instead of being referred to the members of the university, is now done by the arbitrary power of the visitors. Nothing (say they) can be alleged in answer to this, but the pretended sovereign power of the two houses to make and abolish laws, which we absolutely disbelieve. Upon the whole, they appeal to any divine, whether they ought to submit to the visitation as long as they

\* *Sufferings of the Clergy*, p. 133. Vol. Pamp., no. 34.

believe their oaths to be in full force, and are confident that the two houses cannot dispense with them? And consequently whether they ought to be turned out of their freeholds on this account?"

The committee at London having waited till the end of the month of December, to see if any of the heads of colleges would submit, voted Dr. Fell out of his deanery of Christ-church for contumacy \*; and passed the same sentence upon

Dr. Oliver, president of Magdalen-college

Dr. Potter, ——— Trinity

Dr. Bayly, ——— St. John's

Dr. Radcliffe, principal of Brazen-nose

Dr. Gardner,

Dr. Iles,

Dr. Morley,

} canons of Christ-church.

When these resolutions were sent to Oxford, the proper officers refused to publish them, and when they were pasted upon the walls of the colleges, they were torn down, and trampled under foot; upon which the pro-vice-chancellor and the two proctors were ordered into custody; but they absconded, and Dr. Oliver assumed the office of pro-vice-chancellor. The parliament, provoked at this usage, passed an ordinance January 22, 1647—8, constituting the earl of Pembroke chancellor of Oxford, and March 8 they ordered him to repair thither in person, to support the visitors, and place the several persons whom the committee had chosen, in the respective chairs of those they had ejected †.

April 11, the chancellor made his public entrance into the city, attended with a great number of clergy, and gentlemen of the country, and about one hundred horse out of Oxford itself; the mayor welcomed him at his entrance into the city with a congratulatory speech; and when he came to his lodgings, Mr. Button, one of the new proctors, made a speech to him in Latin, but not one of the heads of colleges came near him; the insignia of the university were not to be found, and the scholars treated the chancellor and his retinue with all that rudeness they had been taught to express towards all who adhered to the parliament.

Next morning the earl, attended with a guard of soldiers, went to Christ-church, and having in vain desired Mrs. Fell the dean's wife to quit the lodgings peaceably, he commanded the soldiers to break open the doors, and carry her out into a chair in the middle of the quadrangle ‡; he then put the new-elected dean Mr. Reynolds, afterward bishop of Norwich, into possession; from thence his lordship with the visitors went to the hall, and having got the Buttery-book, struck out Dr. Fell's name, and inserted that of Mr. Reynolds; the like they did by Dr. Hammond, sub-dean and public orator; by Dr. Gardner, Dr. Rayne, Dr. Iles,

\* Sufferings of the Clergy, p. 131.

† Whitelocke, p. 290.

‡ Sufferings of the Clergy, p. 133.



and Dr. Morley \*, placing in their stead Mr. Corbet, who was made public orator; Mr. Rogers, Mr. Mills, Mr. Cornish, Mr. Henry Wilkinson, sen. and Mr. Langley; Dr. Sanderson being spared, because he was out of town when the last summons was issued.

In the afternoon they held a convocation, which was opened with an elegant Latin oration, pronounced by Mr. Corbet their new orator †. When the chancellor had taken the chair in the convocation-house, he declared Mr. Reynolds vice-chancellor, to whom an oath was administered that he would observe the statutes and privileges of the university, subject to the authority of parliament. Mr. Button and Mr. Cross were declared proctors, and all three returned their thanks to the chancellor in Latin speeches. On this occasion degrees were conferred upon divers learned men. Mr. Chambers, Mr. Gallicott, and Mr. Harris, were made doctors of divinity; Mr. Palmer doctor of physic; Mr. J. Wilkins [afterward bishop], Mr. Langley, Mr. Cornish, and Mr. Cheynel, bachelors of divinity; the young earl of Carnarvon, the chancellor's two youngest sons, and several other gentlemen, masters of arts ‡.

Next morning, April 13, the chancellor and visitors, with a guard of musketeers, went to Magdalen-college, and having broke open the doors of the president's lodgings [Dr. Oliver,] who was out of the way, they gave Dr. Wilkinson possession. In the afternoon they went to All-Souls, where Dr. Sheldon the warden appearing, and refusing to submit, returned to his lodgings, and locked the doors; which being broke open, the doctor was taken into custody for contempt, and Dr. Palmer put in his place; from thence they went to Trinity-college, and having broke open the lodgings, Dr. Harris was put into possession in the room of Dr. Potter. In like manner Dr. Cheynel had possession given him of St. John's in the room of Dr. Bayly; Mr. Wilkins was appointed president of Wadham-college in the room of Dr. Pit; and Mr. Greenwood was put into possession of Brazen-nose college in the room of Dr. Radcliffe, allowing those they displaced a month's time to remove their effects. But some of the students of Christ-church having got the Buttery-book, impudently cut out the names of those whom the visitors had inserted; so that they were forced to return the next day, and write over again the names of

\* Dr. Grey, on the authority of bishop Sanderson's biographer and Mr. Wood, says, that Dr. Morley was not turned out. But Dr. Richardson says, that being deprived of all his ecclesiastical benefices in 1648, he withdrew from the kingdom, first to the Hague, and then to Antwerp. *De Præsulibus Angliæ Commentarius*, p. 244. Dr. Grey appears to have mistaken the passage in Sanderson's *Life*, which relates only the steps that a friend would have taken to secure Dr. Morley's continuance in the university, and concludes with his memorable and generous reply, which shews that he declined availing himself of his friend's kindness, saying: "that when all the rest of the college were turned out, except Dr. Wall, he should take it to be, if not a sin yet a shame, to be left alive with him only."—ED.

† Rushworth, p. 1364.

‡ sufferings of the Clergy, p. 133, 134.

their new dean and canons \*. The heads of colleges being thus fixed in their several stations, the chancellor took leave of the university and departed for London; and having reported his conduct April 21, received the thanks of the two houses.

But Dr. Wilkinson, sen. and Mr. Cheynel, who returned with the chancellor, having represented to the parliament, that the fellows, scholars, and under officers, still refused to submit to their orders, it was resolved, "that the visitors should cite all the officers, fellows, and scholars, before them, and that such as refused to appear, or upon appearance did not submit, should be suspended from their places, and their names returned to the committee, who were authorized to expel them from the university; and the new heads (on signification of such sentence from the committee) in conjunction with the visitors, were empowered to put others in their places. They resolved farther, that the bursars should make no dividend of money till they had orders from the committee; and that the tenants should pay their rents to none but the heads appointed by the authority of parliament†." But the bursars absconded, and were not to be found.

By virtue of these orders the visitors cited the fellows, scholars of houses, gentlemen-commoners, and servitors, to appear before them at several times; the only question demanded of them was, Will you submit to the power of the parliament in this visitation? To which they were to give their answer in writing, and according to it were confirmed or displaced. Great numbers were absent from the university, and did not appear; others, who disowned the power of the parliament at first, afterward submitted, but the main body stood it out to the last: Dr. Walker says, that one hundred and eighty withdrew; ‡ that of about six hundred and seventy-six who appeared, five hundred and forty-eight refused at first to own the authority of the visitation, but that afterward many submitted and made their peace §. In another place he supposes one fourth submitted; and makes the whole number of fellows and scholars deprived three hundred and seventy-five; and then by a list of new elections in some following years, reduces them to three hundred and fifty-six; but considering that some may have been omitted, he guesses the whole to be about four hundred. The Oxford historian Mr. Wood says, the number of those that refused to submit was about three hundred and thirty-four, but that they were not presently expelled; for though the visitors were obliged to return their names to the committee, and were empowered to expel them, yet they deferred the execution of their power, in hopes that time might bring them to a compliance; which it is very likely it did, because it appears by the register, that in the eight succeeding years i. e. between the years 1648 and 1656, there were no more than three hundred and ninety-

\* Sufferings of the Clergy, p. 134.

† Ibid. p. 134.

‡ Life of Mr. Phil. Henry, p. 12.

§ Sufferings of the Clergy, part 1. p. 135; and part 2. p. 138, 139.



six new elections, which, allowing for deaths and removals, must infer the deprivations at this time could not be very considerable; however, had their numbers been much greater than they really were, the parliament were obliged, in their own defence, to dispossess them.

The few scholars that remained in the university treated the visitors with insufferable rudeness; scurrilous and invective satires, equal if not superior in raillery and ill language to Martin Mar-Prelate, and the rest of the Brownistical pamphlets in the reign of queen Elizabeth, were dispersed in the most public places of the city every week; as *Mercurius Academicus*; *Pegasus*, or the Flying Horse from Oxon; *Pegasus* taught to dance to the Tune of *Lachrymæ*; *News from Pembroke and Montgomery*, or *Oxford Manchestered*. The Owl at Athens; or the Entrance of the Earl of Pembroke into Oxford April 11. The Oxford Tragi-comedy, in heroic Latin verse. Lord have mercy upon us!—which is the inscription put upon houses that have the plague; and many others; which the visitors took no farther notice of, than to forbid the booksellers to print or sell the like for the future\*. If the Puritans had published such pamphlets against the exorbitances of the high-commission court in the late times, the authors or publishers must have lost their ears, as the Brownists did their lives towards the latter end of queen Elizabeth; and surely the university might have evinced their loyalty without offering such unmannerly provocations to gentlemen, who were disposed to behave towards them with all gentleness and moderation.

The visitors being informed that an insurrection was designed among the scholars in favour of the king, and in concert with the loyalists in other parts of the kingdom, acquainted the commanding officers of the garrison, who gave immediate orders to search the colleges for arms; and on the 26th of May 1648, the visitors ordered all the members of the university to deliver a peremptory answer in writing within seven days, whether they would submit to the authority of the parliament in this visitation or no. And that none should depart the university without leave from the pro-vice-chancellor. The day following both houses of parliament passed an order, "that forasmuch as many doctors, and other members of the university, notwithstanding the example that had been made of some of them, did still persist in their contempt of the authority of parliament, which might be of dangerous consequence; therefore the committee for reforming the university should have power to send for them under the custody of a guard, and commit them to prison." When this order came to Oxford, the visitors declared, that whosoever should not plainly, and without reserve, declare his submission to the visitation, should be deemed as flatly denying its authority,

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\* *Sufferings of the Clergy*, p. 135.

and be taken into custody; and that whosoever laid claim to any place in the university, should within fifteen days declare his submission, or be deprived; accordingly, at the expiration of the time, such as did not appear were deprived of their fellowships, and expelled the university: but still the scholars would not remove, being too stubborn to be evicted by votes at London, or papers and programmas at Oxford. The visitors therefore, after having waited above six months, were obliged to proceed to the last extremity; and July 5, 1649, ordered a serjeant, attended with some files of musketeers, to publish by beat of drum before the gates of the several colleges, that "if any of those who had been expelled by the visitors, should presume to continue any longer in the university, they should be taken into custody, and be made prisoners by the governor." This not answering the proposed end, the Oxford historian adds, that four days after they published a farther order by beat of drum before the gate of every college, "that if any one who had been expelled, did presume to tarry in the town, or was taken within five miles of it, he should be deemed as a spy, and punished with death." And to enforce this order general Fairfax, who was then in the field, gave public notice, that he would proceed accordingly with such as did not depart in four days, unless they obtained leave from the vice-chancellor and visitors to continue longer. At length their courage cooled, and the young gentlemen were prevailed on to retire. Thus the university of Oxford was cleared of the royalists, and the visitors at liberty to fill up their vacancies in the best manner they could; in all which one cannot tell which most to admire the unparalleled patience and forbearance of a victorious parliament for almost two years, or the stubborn perverseness and provoking behaviour of a few academics, against a power that could have battered their colleges about their ears, and buried them in their ruins in a few days.

About ten of the old heads of colleges, and professors of sciences, submitted to the visitors, and kept their places, and about nineteen or twenty were expelled. Those who submitted were,

Dr. Langbain, provost of Queen's	} college.
Dr. Hood, rector of Lincoln	
Dr. Saunders, provost of Oriel	
Dr. Hakewell, rector of Exeter	
Sir Nath. Brent, warden of Merton	
Dr. Zouch, principal of Alban-hall	
Dr. Lawrence, master of Baliol	
Dr. Pocock, Arabic professor.	
Dr. Clayton, anatomy professor.	
Mr. Philips, music professor.	

The following characters of these gentlemen, with those of their predecessors and successors, I have taken for the most part from writers not to be suspected of partiality in favour of the Puritans.



Dr. Gerard Langbain, provost of Queen's college, was a great ornament to his college; he was elected keeper of the archives or records of the university, being in general esteem for his great learning and honesty. He was an excellent linguist, an able philosopher and divine, a good common lawyer, a public-spirited man, a lover of learning and learned men, beloved of archbishop Usher, Selden, and the great Goliaths of literature. He was also an excellent antiquary, indefatigable in his studies, and of immense undertakings. He died February 10, 1657-8, and was buried in the inner chapel of Queen's college \*.

Dr. Paul Hood, rector of Lincoln-college, had been many years governor of this house, and continued in it through all changes till his death; he was vice-chancellor of the university in the year 1660, when he conformed to the established church, and died in the year 1668 †.

Dr. John Saunders, provost of Oriel-college, disowned the authority of the visitors at first, but afterward complied; for, as Dr. Walker observes, there was no other provost till after his death, which was in the year 1652 ‡.

Dr. George Hakewell, rector of Exeter-college, had been chaplain to prince Charles and archdeacon of Surrey; upon the promotion of Dr. Prideaux to the see of Worcester, he was chosen rector of this college, but resided little there, retiring during the war to his rectory of Heanton in Devon, where he led a recluse life, and died in April 1649. He was, according to Dr. Walker, a great divine, a very good philosopher, and a noted preacher §.

Sir Nathaniel Brent, warden of Merton-college, was probationer fellow in the year 1594, and proctor of the university in 1607; he afterward travelled into several parts of the learned world, and underwent dangerous adventures in Italy to procure the history of the council of Trent, which he translated into English, and therefore, says Mr. Wood ||, deserves an honourable mention. By the favour of archbishop Abbot he was made commissary of the diocese of Canterbury, and vicar-general to the archbishop, being doctor of laws, and at length judge of the prerogative. In 1629 he was knighted at Woodstock, and at the commencement of the civil war took part with the parliament, for which reason he was ejected his wardenship of this college, but restored again when it came into the parliament's hands in 1646. He was one of the visitors of the university, and esteemed a very learned and judicious civilian. He resigned his wardenship in the year 1650, and died in London in 1652, after he had lived seventy-nine years.

Richard Zouch, LL.D. principal of Alban-hall, was of noble birth, and served in parliament for the borough of Hythe in Kent. He was chancellor of the diocese of Oxon, principal of St. Alban-hall in 1625, and at length judge of the high court of admiralty;

\* Wood's Athen. vol 2. p. 140.

† Walker, p. 131.

|| Athen. Oxon. vol. 2. p. 92.

‡ Wood's Fasti, p. 127.

§ Ibid. p. 114.

he was very able and eminent in his own profession, a subtle logician, an expert historian, and for the knowledge and practice of the civil law the chief person of his time. As his birth was noble, says Mr. Wood \*, so was his behaviour and discourse; and as he was personable and handsome, so naturally sweet, pleasing, and affable; he kept his principalship and professorship till his death, which happened March 1, 1660-1.

Dr. Thomas Lawrence, master of Baliol-college, and Margaret professor of divinity, had been chaplain to king Charles I. and prebendary of Litchfield, and by the interest of archbishop Laud preferred to the mastership of this college in 1637. He submitted to the authority of the visitors, and had a certificate under their hands, dated August 3, 1648, wherein they attest, that he had engaged to observe the Directory in all ecclesiastical administrations, to preach practical divinity to the people, and to forbear preaching any of those opinions that the reformed church had condemned †. Dr. Walker says, he resigned all his preferments in the university in the year 1650, but does not say upon what occasion; only that he grew careless, and did much degenerate in his life and manners; that he died in the year 1657, but that if he had lived three years longer, he would notwithstanding have been consecrated an Irish bishop ‡.

The professors of sciences who submitted to the visitors, and were continued, were,

Dr. Edward Pocock, professor of the Hebrew and Arabic languages; one of the most learned men of his age, and justly celebrated at home and abroad for his great skill in the oriental languages, and for many works that he published. He was afterward ejected from his canonry of Christ-church for refusing the engagement 1651 §, but was suffered to enjoy his professorship of Arabic and Hebrew; he conformed in the year 1660, and lived in great reputation till the year 1691 ||.

Thomas Clayton, M.D. king's professor of anatomy, which professorship he resigned to Dr. William Petty, in January 1650. He was made warden of Merton-college upon the resignation of Dr. Reynolds, March 26, 1661, and the next day was knighted by the interest of his brother-in-law sir Charles Cotterel.

Mr. Arthur Philips, professor of music, of whom I have met with no account.

The heads of colleges ejected by the visitors, with their successors, may be seen in the following table.

\* Athen. Oxon. vol. 2. p. 166.

† Ibid. p. 136.

‡ Sufferings of the Clergy, p. 100.

§ He was very near being ejected from his living of Childrey "for ignorance and insufficiency:" but Mr. Owen, the learned Independent, interested himself in his behalf, and prevented his ejection. When he was in the East, into which he made two voyages, the mufti of Aleppo laid his hand upon his head, and said, "This young man speaks and understands Arabic as well as the mufti of Aleppo." He was the first Laudean professor of Arabic. Grainger's History of England, vol. 3. p. 270, 8vo.—ED.

|| Athen. Oxon. p. 868.



<i>Heads of colleges turned out.</i>	<i>Colleges.</i>	<i>Succeeded by</i>
Dr. Fell, vice-chancellor, } from }	Deanery of Christ- church	{ Dr. Reynolds, afterward bishop of Norwich
Dr. Pit, warden of	Wadham-college	{ Dr. J. Wilkins, after- ward bishop of Chester
Dr. Walker	University-college	Dr. Joshua Hoyle
Dr. Radcliffe	Brazen-nose-college	Dr. D. Greenwood
Dr. Sheldon	All-Souls-college	Dr. Palmer, M.D.
Dr. Newlin	Corpus-Christi-college	Dr. Ed. Staunton
Dr. Bayly	St. John's college	Dr. Cheynel
Dr. Oliver	Magdalen-college	Dr. John Wilkinson
Dr. Han. Potter	Trinity-college	Dr. Robert Harris
Dr. Mansell	Jesus-college	Dr. Mic. Roberts
Mr. Wightwick, B.D.	Pembroke-college	Dr. H. Langley
Dr. Stringer, Prof. Gr. } Lang. }	New-college	{ Mr. Geo. Marshall Mr. Harmar, Prof. Gr. Lang.
<i>Professors of sciences turned out.</i>	<i>Professorships.</i>	<i>Succeeded by</i>
Dr. Robt. Sanderson	Reg. Pr. of Div.	Dr. Crosse
Mr. Birkenhead, A.M.	M. Philos. Prof.	Dr. Hen. Wilkinson, jun.
Mr. Rob. Warin	Camd. Hist. Prof.	Dr. L. du Moulin
Dr. Jn. Edwards	Nat. Phil. Prof.	Dr. Joshua Crosse
Dr. Turner, M.D.	Savil. Prof. Geo.	Dr. John Wallis
Mr. J. Greaves, A.M.	Profess. Astron.	{ Dr. Ward, afterward bishop of Salisbury
Dr. Henry Hammond	University-orator.	{ Mr. Burton, A. M. Mr. Corbet, who quitted

Dr. Gilbert Sheldon, warden of All-Souls-college, was ejected April 3, 1648, and lived retired with his friends in Staffordshire till 1659, when he was restored to his wardenship upon the death of Dr. Palmer. After the Restoration he was successively bishop of London, chancellor of Oxford, and archbishop of Canterbury : he built the noble theatre at Oxford, and did a great many other works of charity \*, but never gave any great specimens of his piety or learning to the world †.

Dr. Samuel Fell, vice-chancellor of the university, and dean of Christ-church, dispossessed of his deanery April 12, 1648 ‡. He gave the visitors all the disturbance he could, and was therefore taken into custody for a time, but being quickly released he retired to his rectory at Sunningwell in Berkshire, where he died February 1, 1648-9. He had been a Calvinist, but changed his sentiments, and after great creepings and cringings to archbishop Laud, says Mr. Wood §, he became his creature, and if the rebellion had not broke out, would, no doubt, have been made a bishop. He left no remarkable traces of his learning behind him.

Dr. Samuel Radcliffe, principal of Brazen-nose-college, was elected to his headship 1614, and was in an infirm condition when he was ejected for disowning the authority of the visitors, April 13, 1648, and died the June following ||. Neither Mr.

\* His benefactions, public and private, amounted to 66,000*l*. Much of this money was appropriated to the relief of the necessitous in the time of the plague, and to the redemption of Christian slaves. The building only of the Theatre in Oxford cost him 16,000*l*. Granger's History of England, vol. 3. p. 231, 8vo.—Ed.

† Walker's Sufferings of the Clergy, p. 98.

§ Athen. Oxon. vol. 2. p. 94.

‡ Walker, p. 102.

|| Walker, p. 101.

Wood nor Walker says any thing of his learning, nor are his works extant.

Dr. Robert Newlin, president, of Corpus-Christi-college, and pro-vice-chancellor in the year 1648. He was restored to his presidentship again in the year 1660, and died in it 1687. But neither Wood nor Walker has given him any character \*.

Dr. Richard Bayly, president of St. John's college, a kinsman of archbishop Laud, and one of his executors; he had been president of this college twenty years when he was ejected; but was restored in 1660, and died at Salisbury 1667 †. He was hospitable and charitable, but very faulty, says Mr. Wood, in using some kind of oaths in common conversation ‡. I do not know that he published any thing.

Dr. John Oliver, president of Magdalen-college, had been domestic chaplain to archbishop Laud, and was a man, says Dr. Walker §, of great learning and sound principles in religion (that is, of the principles of the archbishop); he was restored to his preferments 1660, but died soon after, October 27, 1661.

Dr. Hannibal Potter, president of Trinity-college, elected 1643, and turned out with the rest who disowned the authority of the visitors, April 13, 1648. He afterward accepted of a curacy in Somersetshire, and was ejected for insufficiency; but Dr. Walker says ||, it was because he used part of the church-service. He was restored in 1660, and died in 1664.

Dr. John Pit, warden of Wadham-college, elected April 16, 1644, after that city was garrisoned for the king; he behaved very refractorily towards the visitors, and died soon after his ejection ¶.

Dr. Francis Mansel, principal of Jesus-college, elected to this principalship in the year 1630, and ejected May 22, 1648. He was restored again in 1660, and died 1665, having been an eminent benefactor to his college.

Dr. Thomas Walker, master of University-college, elected 1632, and dispossessed by the visitors July 10, 1648. He was restored in the year 1660, and died in 1665. He was related to archbishop Laud, and was one of his executors, and, according to Lloyd, a deserving modest man and a great sufferer \*\*.

Mr. Henry Wightwick, B.D. elected to the mastership of Pembroke college in direct opposition to the order of parliament, July 13, 1647, for which reason he was soon after removed. In the year 1660 he was restored, but turned out again in 1664, for what reasons Dr. Walker says he does not know. He died in Lincolnshire 1671 ††.

Dr. Henry Stringer, elected to the wardenship of New-college, after the same manner, in direct opposition to the visitors, Novem-

\* Walker, p. 111.

† Ibid. p. 116.

‡ Dr. Grey asks, "Where does Wood say this? No where that I can meet with." Nor can I find the passage.—ED.

§ Walker, p. 122.

|| Ibid. p. 133.

¶ Ibid. p. 136.

\*\* Ibid. p. 114.

†† Ibid. p. 132.



ber 18, 1647, for which reason he was deprived August 1, 1648. He was professor of the Greek language, but resigned, and died at London 1657\*.

The professors ejected by the visitors were,

Dr. Robert Saunderson, regius professor of divinity; a very learned man, and an excellent casuist†; he was nominated one of the assembly of divines, but did not sit among them. He had a very considerable hand in drawing up the reasons of the university against the covenant, and the negative oath. After his ejection he retired to his living at Boothby, where he continued preaching, though not without some difficulties, till the Restoration, when he was preferred to the bishoprick of Lincoln, and died 1662-3‡.

Mr. John Birkenhead, A.M. moral philosophy reader; he was employed by the court to write the *Mercurius Aulicus*, a paper filled with most bitter invectives against the parliament, for which he was rewarded with this lectureship. After his ejection he lived privately till the Restoration, when he was knighted, and chosen Burgess in parliament for the borough of Wilton. He was also created LL.D. and master of the faculties, and died in 1679, leaving behind him, according to Wood, a very sorry character§.

Mr. Robert Waring, Camden history professor; he bore arms for the king in the garrison at Oxford, and was not elected to this professorship till after the visitation began. He was reckoned, says Wood, among the wits of the university, and was a good poet and orator. He died 1658||.

John Edwards, M. D. natural philosophy lecturer; who behaved rudely towards the visitors, and was therefore not only dispossessed of his preferment, but expelled the university¶; but neither Wood nor Walker gives any character of him.

Peter Turner, M. D. Savilian professor of geometry; he served his majesty as a volunteer under the command of sir J. Byron, and being a zealous loyalist, was expelled the university by the visitors, after which he retired to London, and died 1650. He was a good mathematician, well read in the fathers, an excellent linguist, and highly esteemed by archbishop Laud\*\*.

John Greaves, A. M. professor of astronomy, was sent by archbishop Laud to travel into the eastern parts of the world to make

\* Walker, p. 127.

† "He was, especially in the former part of his life, remarkable for his excessive modesty: an infirmity (observes my author) oftener seen in men of the quickest sensibility, and of the best understanding, than in the half-witted, the stupid, and the ignorant." Granger's History of England, vol. 3. p. 238, 239, 8vo. He disapproved of and wrote against the usual mode of lending money on interest. But he adopted another way of advancing it more advantageous to the lender, and sometimes to the borrower. He would give 100*l.* for 20*l.* for seven years. Calamy's Church and Dissenters compared as to Persecution, p. 30.—Ed.

‡ Athen. Oxon. vol. 2. p. 476.

§ Ibid.

|| Walker, p. 106. Athen. Oxon. vol. 2. p. 143.

¶ Walker, p. 118.

\*\* Wood, vol. 2. p. 84.

a collection of books in those languages\*. After his return he was preferred to this professorship, but was ejected by the visitors, and November 9, 1648, expelled the university, for sending the college-treasure to the king, and other offences of the like nature. He died at London 1652, with the reputation of a good scholar, having been well respected by Mr. Selden and others†.

Dr. Henry Hammond, university-orator, was a very learned man, and a great divine, highly esteemed by king Charles I. He assisted at the treaty of Uxbridge, and attended the king as his chaplain when he was permitted. After his ejection he retired to the house of sir John Packington of Worcestershire, where he employed his time in writing several valuable and learned treatises in defence of the hierarchy of the church of England, and in the study of the New Testament. He died April 25, 1660.

The heads of colleges who succeeded those that were ejected by authority of parliament, were,

Dr. Edward Reynolds, vice-chancellor of the university, and dean of Christ-church in the place of Dr. Fell; he was probationer-fellow of Merton-college in the year 1620, which he obtained by his uncommon skill in the Greek tongue; he was a good disputant and orator, a popular divine, and in great esteem in the city of London, being preacher to the honourable society of Lincoln's-Inn. Mr. Wood confesses‡, he was a person of excellent parts and endowments, of a very good wit, fancy, and judgment, and much esteemed by all parties for his florid style. Sir Thomas Brown adds, that he was a divine of singular affability, meekness, and humility; of great learning, a frequent preacher, and a constant resident. He conformed at the Restoration, and was made bishop of Norwich, and died 1676.

Dr. John Wilkins, promoted to the wardenship of Wadham-college in the place of Dr. Pit. He was educated in Magdalen-hall, and was chaplain to Charles count-palatine of the Rhine. A little before the Restoration he came to London, and was minister of St. Lawrence-Jewry, and preacher to the society at Lincoln's-Inn. Mr. Wood admits§, that he was a person of rare gifts, a noted theologist and preacher, a curious critic, an excellent mathematician, and as well seen in mechanism and the new philosophy as any in his time. In the year 1656 he married the sister of O. Cromwell, then lord-protector of England, and had the headship of Trinity-college in Cambridge conferred upon him, which is the best preferment in that university. He was afterwards a member of the Royal Society, to which he was a consider-

\* This he did with indefatigable industry, and at the peril of his life. He also collected for archbishop Laud many oriental gems and coins. He took a more accurate survey of the pyramids than any traveller who went before him. During his stay at Rome, on his return from the East, he made a particular inquiry into the true state of the ancient weights and measures. He was a great man. Gran-ger's History of England, vol. 3. p. 119, 120, 8vo.—Ed.

† Walker, p. 125.

‡ Athen. Oxon. vol. 2. p. 421.

§ Ibid. p. 371.



able benefactor. Dr. Burnet says, that bishop Wilkins was a man of as great a mind, as true a judgment, of as eminent virtue, and as good a soul, as any he ever knew. Archbishop Tillotson gives him an equal character; and several members of the Royal Society acknowledge him to have been an ornament to the university and the English nation. He was created bishop of Chester in the year 1668, and died of the stone in the house of Dr. Tillotson 1672\*.

Dr. Joshua Hoyle, preferred to the headship of University-college in the room of Dr. Walker; he was educated at Magdalen-hall, Oxford, but being invited into Ireland became fellow of Trinity-college, and professor of divinity in the university of Dublin. In the beginning of the Irish rebellion he came over to England, and was made vicar of Stepney, a member of the assembly of divines, and at length master of this college, and king's professor of divinity in the room of Dr. Sanderson. Mr. Wood says†, he was a person of great reading and memory, but of less judgment. He was exactly acquainted with the schoolmen, and so much devoted to his book, that he was in a manner a stranger to the world; he was indefatigably industrious, and as well qualified for an academic as any person of his time. He died 1654.

Dr. Daniel Greenwood, principal of Brazen-nose-college, in the room of Dr. Radcliffe; he had been fellow of the college for a considerable time, and had the reputation of a profound scholar and divine. Mr. Wood says‡, he was a severe and good governor, as well in his vice-chancellorship as in his principalship; he continued in his college with an unspotted character till the Restoration, when he was ejected by the king's commissioners, after which he lived privately till 1673, when he died.

Dr. John Wilkinson had been principal of Magdalen-hall before the civil wars, but when that university was garrisoned by

\* To Mr. Neal's character of bishop Wilkins it may be added, that he was a man of an enlarged and liberal mind, which shewed itself in his great moderation on the points agitated between the conformists and nonconformists; and in his free generous way of philosophizing. He disdained to tread in the beaten track, but struck out into the new road pointed out by the great lord Bacon. He formed institutions for the encouragement of experimental philosophy, and the application of it to affairs of human life, at each university: and was the chief means of establishing the Royal Society. His chimeras were those of a man of genius.—Such was his attempt to shew the possibility of a voyage to the moon; to which the duchess of Newcastle made this objection: "Doctor, where am I to find a place for baiting at, in the way up to that planet?" "Madam (said he), of all the people in the world, I never expected that question from you, who have built so many castles in the air, you that may lie every night at one of your own." Granger, *ut supra*, the note.—His character was truly exemplary, as well as extraordinary. His great prudence never failed in any undertaking. Sincerity was natural to him. With a greatness of mind he looked down upon wealth as much as others admire it. What he yearly received from the church, he bestowed in its services; and made no savings from his temporal estate; acting up to his frequent declaration, "I will be no richer." Birch's Life of Tillotson, p. 405, 406. Granger's History of England, vol. 3. p. 247, 248. 8vo. and Lloyd's Funeral Sermon, p. 41—43.—Ed.

† Athen. Oxon. vol. 2. p. 113.

‡ Wood's Fasti, vol 3. p. 770.

the king, he fled into the parliament's quarters, and was succeeded by Dr. Thomas Read, who was admitted by the king's mandate, October 16, 1643, but in 1646 Dr. Wilkinson was restored. The year following (1647) he was made president of Magdalen-college in the room of Dr. Oliver; he was a learned and pious man, died January 2, 1649, and was buried in the church of Great-Milton, Oxfordshire.

Dr. Henry Wilkinson, junior, commonly called Dean Harry, principal of Magdalen-hall; he was a noted tutor and moderator in his college before the commencement of the civil wars, upon the breaking out of which he left Oxford and came to London, but when that city was surrendered to the parliament he returned to the university, and was created D. D. made principal of his hall, and moral philosophy professor in the room of Mr. Birkenhead. Mr. Wood says\*, that he took all ways imaginable to make his house flourish with young students: that he was a frequent and active preacher, and a good disciplinarian; for which reason the heads of the university persuaded him earnestly to conform at the Restoration, that they might keep him among them, but he refused. After his ejection he suffered for his nonconformity, by imprisonments, mulcts, and the loss of his goods and books; though, according to the same author, he was very courteous in speech and carriage, communicative of his knowledge, generous, charitable to the poor, and so public-spirited, that he always regarded the common good more than his own private concerns. He published several learned works, and died 1690, æt. 74.

Dr. Robert Harris, president of Trinity-college in the room of Dr. Potter, was educated in Magdalen-hall, and had been a famous preacher in Oxfordshire for about forty years; upon the breaking out of the war he came to London, where he continued till appointed one of the visitors of the university, and head of this college, over which he presided ten years, though he was now seventy. He was a person of great piety and gravity, an exact master of the Hebrew language, and well versed in chronology, church-history, the councils, and fathers. He governed his college with great prudence, and gained the affections of all the students, who revered him as a father, though he had been stigmatized by the royalists as a notorious pluralist.—To which the writer of his life replies, that whatever benefices he might have been nominated to, he declared he did not receive the profits of them. The inscription upon his tombstone says, that he was "*præses æternum celebrandus; perspicacissimus indolum scrutator, potestatis arbiter mitissimus, merentium fautor integerrimus,*" &c. He died 1658†.

Dr. Henry Langley, master of Pembroke-college in the room of Mr. Wightwick, was originally fellow of his college, and made

\* Athen. Oxon. vol. 2. p. 646.

† Clarke's Lives, p. 314.



master of it in 1647. He kept his place till the Restoration, after which he set up a private academy among the dissenters; having the character of a solid and judicious divine, and being a frequent preacher. He died 1679\*.

Dr. Francis Cheynel, president of St. John's college in the room of Dr. Bayly, was probationer-fellow of Merton-college in the year 1629, and afterward rector of Petworth, a member of the assembly of divines, and this year made president of that college, and Margaret professor in the room of Dr. Lawrence, both which he quitted after some time for refusing the engagement, and retired to his living at Petworth, from whence he was ejected at the Restoration. He was a person of a great deal of indiscreet zeal, as appears by his behaviour at the funeral of the great Mr. Chillingworth, already mentioned. Bishop Hoadly says, he was exactly orthodox, and as pious, honest, and charitable, as his bigotry would permit; and Mr. Echard adds, that he was of considerable learning and great abilities†.

Dr. Michael Roberts, principal of Jesus-college in the room of Dr. Mansel, was a good scholar, and would, no doubt, have conformed at the Restoration, had he been inclined to have accepted any preferment, but he had resigned his principalship into the hands of the protector 1657, and being rich chose a private life‡. He published a Latin elegy upon general Monk, duke of Albe-marle, and died in Oxford 1679.

Dr. Edmund Staunton, president of Corpus-Christi-college in the room of Dr. Newlin, was admitted fellow of this college 1616, and afterward minister of Kingston-upon-Thames. He took the degrees in divinity 1634, and was afterward one of the assembly of divines. He kept his principalship till he was ejected by the king's commissioners at the Restoration; he was a diligent popular preacher, a good scholar, and continued his labours among the Nonconformists till his death, which happened 1671§.

John Palmer, M. D. warden of All-Souls in the room of Dr. Sheldon, had been bachelor of physic of Queen's college, and was now created M. D. in presence of the chancellor; he was a learned man, and held his preferment till his death, which happened March 4, 1659; at which time, there being a near prospect of the restoration, Dr. Sheldon was restored to his wardenship||.

Upon the death of Dr. Pink, the visitors nominated old Mr. White of Dorchester to succeed him, but I think he refused it, being very much advanced in years¶.

The professors of sciences, who succeeded the ejected ones, were,

Dr. Seth Ward, professor of astronomy in the place of Dr. Greaves, and, according to Mr. Wood, the most noted mathema-

\* Wood's Fasti, vol. 2. p. 747. 771.

† Fasti, vol. 2. p. 752.

‡ Fasti, vol. 2. p. 747.

† Athen. Oxon. vol. 2. p. 245.

§ Athen. Oxon. vol. 2. p. 352, 353.

¶ Wood's Fasti, p. 68.

tician\* and astronomer of his time; he was educated in Sidney-college, Cambridge, and in the year 1643, ejected for adhering to the king, but having afterward changed his mind, he made friends to the committee for reforming the university of Oxford, and was nominated to this preferment; he was afterward master of Trinity-college, and upon his majesty's restoration preferred, first to the bishopric of Exeter, and then to that of Salisbury, where he died 1668†.

Dr. John Wallis, Savilian professor of geometry in the room of Dr. Turner; the fame of this gentleman's learning is well known to the world; he was of Emanuel-college, Cambridge, and afterward fellow of Queen's college in the same university, then minister of St. Martin's, Ironmonger-lane, London, one of the scribes in the assembly of divines, and now, by the appointment of the committee, geometry professor‡; he conformed at the Restoration, and maintained his post, and was an ornament to the university to a very advanced age§.

Lewis du Moulin, M. D. of the university of Leyden, Camden professor of history in the place of Mr. Robert Waring, was incorporated in the same degree at Cambridge, 1634; he was son of the famous Peter du Moulin, the French Protestant, and kept his preferment till the Restoration, when he was turned out by his majesty's commissioners, and persisted in his nonconformity till his death. He was a valuable and learned man, as appears by his writings; but Mr. Wood observes||, he was a violent Independent, and ill-natured; he died in London 1680.

Joshua Crosse, LL.D., natural philosophy reader in the room of Dr. Edwards, and one of the proctors of the university; he was fellow of Magdalen-college, and kept his reader's place till the Restoration, after which he lived privately in Oxford till his death, which happened in 1676. He was a gentleman much honoured for his becoming conversation¶.

Ralph Button, A. M. university-orator in the room of Dr.

\* He was the first who brought mathematical learning into vogue in the university of Cambridge. He was a close reasoner and an admirable speaker, having, in the house of lords, been esteemed equal, at least, to the earl of Shaftesbury. He was a great benefactor to both his bishoprics: as by his interest, the deanery of Berien in Cornwall was annexed to the former, though it has been since separated from it; and the chancellorship of the garter to the latter. He was polite, hospitable, and generous. He founded in his lifetime the college at Salisbury for the reception and support of ministers' widows; and the sumptuous hospital at Buntingford in Hertfordshire, the place of his nativity. Granger's History of England, vol. 3. p. 244, 245, 8vo.—Ed.

† Athen. Oxon. vol. 2. p. 627, 628.

‡ Wood's Fasti, p. 72. 106.

§ Mathematical science is greatly indebted to Dr. Wallis, for several important improvements and inventions. The modern art of deciphering was his discovery: and he was the author of the method of teaching deaf and dumb persons to speak, and to understand a language. His English grammar, in which many things were entirely his own, shewed at once the grammarian and the philosopher. Granger's History of England, vol. 3. p. 286, 8vo. He is said to have applied his art of deciphering to the king's letters taken at Naseby.—Ed.

|| Wood's Fasti, vol. 2. p. 753, 754.

¶ Calamy's Abrid. p. 58.



Hammond, and one of the proctors of the university; he was originally of Exeter-college, where he made so great a progress in philosophy, and other literature, that when he was only bachelor of arts he was recommended by Dr. Prideaux to stand for a fellowship in Merton-college, and was accordingly chosen 1633. He was afterward a celebrated tutor in his house, but was obliged to quit Oxford in the beginning of the civil wars, because he would not bear arms for the king. When the war was over he resumed his employment as tutor, and upon the refusal of Edward Corbet was made canon of Christ-church, and university-orator; he was ejected at the Restoration, and afterward taught academical learning at Islington, near London, till 1680, when he died. He was an excellent scholar, a most humble upright man, and a great sufferer for nonconformity\*.

Mr. John Harman, A. M., professor of the Greek language in the room of Dr. Stringer, was educated in Magdalen-college, and took his degrees 1617; he was afterward master of the free-school at St. Albans, and one of the masters of Westminster-school; from thence he was removed to the Greek professorship in this university. He was, says Mr. Wood†, a great philologist, a tolerable Latin poet, and one of the most excellent Grecians of his time, but otherwise an honest weak man. He was turned out at the Restoration, and afterward lived privately at Steventon in Hampshire till the year 1670, when he died.

These were all the changes that were made among the heads of colleges and professors at this time; and upon the whole, though it must be allowed that many of the ejected loyalists were men of learning and great merit, it is certain, those that kept their places, and the successors of such as were ejected, were men of equal probity and virtue, and no less eminent in their several professions, as appears by the monuments of their learning, some of which are remaining to this day.

The very enemies of the new heads of colleges have confessed, that they were strict in the government of their several houses, that they kept a more than common watch over the morals of the students, and obliged them to an exact compliance with their statutes. The professors were indefatigable in instructing their pupils both in public and private; drunkenness, oaths, and profanation of the Lord's day, were banished; strict piety, and a profession of religion, were in fashion; the scholars often met together for prayer and religious conference; so that, as Mr. Philip Henry, who lived then in the university, observes, "If those of the old spirit and way were at first the better scholars, these were the better men."

Let the reader now judge of the spirit and candour of those writers, who insinuate, "that the new professors could neither pronounce Latin, nor write English; that in the room of the

\* Calamy's Abridg. p. 60.

† Athen. Oxon. vol. 2. p. 347, 348.

ejected loyalists there succeeded an illiterate rabble, swept up from the plough-tail, from shops, and grammar-schools, and the dregs of the neighbouring university; that the muses were driven from their ancient seats; that all loyalty, learning, and good sense, were banished; and that there succeeded in their room nothing but barbarism, enthusiasm, and ignorance, till the dawn of the Restoration\*." Lord Clarendon was a declared enemy to these changes, and has painted them in the most odious colours, yet the force of truth has obliged him to confess, that "though it might have been reasonably expected, that this wild and barbarous depopulation (as he calls it) would have extirpated all the learning, religion, and loyalty, which had flourished there, and that the succeeding ill husbandry, and unskilful cultivation, would have made it fruitful only in ignorance, profaneness, atheism, and rebellion; yet by God's wonderful providence that fruitful soil could not be made barren by all that stupidity and negligence; it choked the weeds, and would not suffer the poisonous seeds that were sown with industry enough, to spring up, but after several tyrannical governors mutually succeeding each other, and with the same malice and perverseness endeavouring to extinguish all good literature and allegiance, it yielded a harvest of extraordinary good knowledge in all parts of learning; and many who were wickedly introduced applied themselves to the study of good learning, and the practice of virtue, and had inclinations to that duty and obedience they had never been taught, that when it pleased God to bring king Charles II. back to his throne he found the university abounding in excellent learning, and devoted to duty and obedience little inferior to what it was before its desolation." Considering the ill-nature that runs through this paragraph, it must be acknowledged to be an unanswerable testimony to the learning and application of the new professors, and with equal justice it may be added, that the university was in a much better state for learning, religion, and good sense, at the Restoration, than before the civil wars, as all the eminent philosophers and divines of the establishment, who did so much honour to their country in the three succeeding reigns, owed their education to these professors, viz. the Tillotsons, Stillingfleets, Patricks, Souths, Caves, Sprats, Kidders, Whitbys, Bulls, Boyles, Newtons, Lockes, and others. The university was in high reputation in foreign parts, and produced as many learned performances as in any former period. So that admitting the new professors were not introduced into their places in a legal way, according to the statutes, because of the necessity of the times, yet it is certain, they proved wise and watchful governors, strict observers of their statutes, and industrious promoters of piety and the liberal arts; and were far from deserving the brand of "ignorant, illiterate, hypocritical blockheads, enemies to the legal constitution of their

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\* Walker's Suff. Cler. p. 140.



country," or of being pronounced unworthy the high preferments they enjoyed.

There were no doubt, at first, very considerable vacancies in the several colleges; many of the fellows and scholars being dead, or killed in the king's service, and others having resigned their places in the university for benefices in the church, besides those who were expelled by the visitors as already mentioned; but to supply the deficiency of fellows and tutors, the committee encouraged several learned graduates in the university of Cambridge to translate themselves to Oxford, and accept of preferments according to their merits. Many who had deserted the university when it became a garrison for the king, returned to their colleges, and were promoted according to their seniority. Great numbers of youths, who had been kept at home because of the public commotions, were now sent to Oxford by their parents to perfect their education; and if it be considered farther, that there had been no admissions from Westminster, Eton, St. Paul's, Merchant-Taylors', and other public schools, for five or six years past, it is not to be wondered that there was an unusual flow of youth to the university at this time, so that the damage occasioned by this revolution of affairs was quickly repaired, and the muses returned to their ancient seats.

The long interruption of education in the university produced a very great scarcity of orthodox and learned ministers in the counties, some being silenced for refusing the covenant, and others dispersed, or killed in the wars. Many pulpits also were vacant by reason of the scandal or insufficiency of the incumbents, which was one occasion of the increase of lay-preachers, for the country people would go to hear any body rather than have no sermons; besides, the Presbyterian clergy would authorize none to preach, except such as would take the covenant, and consent to their discipline. To remedy these evils, the northern counties petitioned the houses to erect a new university in the city of York, but the confusion of the times prevented their prosecuting the design. The Independents, who were less zealous about clerical orders, encouraged or at least connived at the lay-preachers, apprehending that in cases of necessity, pious men of good natural parts might exercise their gifts publicly to the edification of the church; till under this cover they saw every bold enthusiast almost begin to usurp the office of a teacher. To bring things therefore into a little better order the following petition was presented to both houses of parliament, October 6, under the title of "The humble petition of many citizens of London, and others."

"Your petitioners are deeply sensible of the extreme want of preaching the gospel throughout this kingdom, there being many hundreds of towns and villages altogether destitute of any preaching ministers, and many others are not well supplied; by reason whereof ignorance, drunkenness, profaneness, disaffection to the parliament, and to others in authority, every where abound,

there being scarce so much as the face of religion in many places. There is a great cry of people from several counties of the kingdom, for men to preach to them the word of eternal life; and there are many men of competent gifts and abilities, of good life and honest conversation, who being willing to employ their talents in the Lord's work, and to submit themselves for approbation to moderate and judicious men, are yet, by occasion of some scruples about ordination, discouraged from engaging in this work of publishing the gospel, wherein they might be helpful to many. And seeing that in the days of queen Elizabeth, upon occasion of people's necessities, many such men were sent forth to publish the gospel, who had no formal act of ministerial ordination passed upon them, whose endeavours the Lord blessed to the good of many souls, and the furthering of the kingdom's peace; and since also we nothing doubt, but the propagation of the gospel throughout this kingdom, and the information of men in the things of their peace, and the peace and safety of the kingdom, are worthy of your greatest zeal, and are not the least of your care;

"Therefore your petitioners humbly pray, that those who shall be approved of as men meet to dispense the mysteries of the gospel, by such judicious, moderate, and able men, whom you in wisdom shall appoint thereunto, may receive from this honourable house encouragement and protection in preaching the gospel in any place of this kingdom, or dominion of Wales, where need requires, that so the word of the Lord may have free course and be glorified; ignorant men may be instructed; drunkenness, profaneness, and disaffection to the parliament, and to others in authority, may be abandoned; and both the temporal and spiritual peace and prosperity of all sorts of men be the more advanced\*."

The houses thanked the petitioners for their good affection, but did nothing upon it.

By an ordinance of February 11, this year, "all stage-players were declared to be rogues punishable by the acts of the 39th of queen Elizabeth and 7th of king James, notwithstanding any licence they might have from the king, or any other person. All stage galleries, seats, and boxes, are ordered to be pulled down by warrant of two justices of peace; all actors in plays for time to come being convicted shall be publicly whipped, and find sureties for their not offending in like manner for the future; and all spectators of plays for every offence are to pay five shillings†."

The controversies about church-government, and liberty of conscience, ran still as high as ever; the Presbyterians, who had the government of the city of London in their hands, were for pressing covenant-uniformity in their sermons, which the Independents, and others of more Catholic principles, endeavoured to oppose with all their might. Lord Clarendon is pleased to represent this in a ludicrous manner; "The pulpit-skirmishes (says his lordship) were now higher than ever; the Presbyterians in

\* Rushworth, p. 834.

† Scobel, p. 143.



those fields losing nothing of their courage; having a notorious power in the city, notwithstanding the emulation of the Independents, who were more learned and rational, who, though they had not so great congregations of the common people, yet infected and were followed by the most substantial citizens, and by others of better condition. To these men Cromwell and most of the officers of the army adhered; but the divinity of the times was not to be judged by the preaching and congregations in churches, which were now thought not to be the fit and proper places of devotion and religious exercises, where the bishops had exercised such unlimited tyranny, and which had been polluted by their consecrations. Liberty of conscience was now become the great charter, and men who were inspired preached and prayed when and where they would. Anabaptists grew very numerous, with whom the Independents concurred, so far as to join with them for the abolishing of tithes, as of Judaical institution—"If any honest man could have been at so much ease as to have beheld the prospect with delight, never was such a scene of confusion as had spread itself at this time over the whole kingdom\*." And yet it is certain, that the laws against vice and immorality were strictly executed, the Lord's day was duly observed, the churches were crowded with attentive hearers, family devotion was in repute, neither servants nor children being allowed to walk in the fields, or frequent the public houses. In a word, notwithstanding the difference of men's opinions, and political views, there was a zeal for God, and a much greater appearance of sobriety, virtue, and true religion, than before the civil war, or after the blessed Restoration.

Among the Puritan divines who died this year, was the reverend Mr. Herbert Palmer, B. D., of whom mention has been made among the Cambridge professors; his father was sir Thomas Palmer, of Wingham in Kent, his mother the eldest daughter of Herbert Pelham of Sussex, esq.† Our divine was born at Wingham, and baptized there March 29, 1601; he had a polite education in his father's house, and learned the French language almost as soon as he could speak. In the year 1615, he was admitted fellow-commoner in St. John's college Cambridge. In 1622, he took the degree of M. A. In 1623, he was chosen fellow of Queen's college in that university; the year following he was ordained to the ministry, to which he had devoted himself from his infancy: his first exercise was at a lecture in the city of Canterbury, where he preached once a week, till it was put down with the rest of the afternoon-sermons. In the year 1632, he was presented by archbishop Laud to the vicarage of Ashwell in Hertfordshire, where he preached twice every Lord's day, and catechised the children of his parishioners. The same year he was chosen one of the university-preachers of Cambridge, by which he had authority to preach, as he should have occasion, in

\* Clarendon, vol. 5. p. 115, 116. † Clarke's Lives in his Martyrology, p. 183.

any part of England. In the year 1640, he and Dr. Tuckney were chosen clerks of the convocation for the diocese of Lincoln. In the year 1643, he was called to be a member of the assembly of divines at Westminster, and after some time chosen one of their assessors, in which place he behaved with great wisdom and integrity. April 11, 1644, he was constituted master of Queen's college, Cambridge, by the earl of Manchester; here he set himself industriously to the promoting of religion and learning, being very solicitous that none should be admitted to a scholarship or fellowship in his college, but such as were qualified in both these respects, the good effects of which appeared in the reputation and credit of that society, beyond most others of the university in his time. Mr. Palmer was a gentleman of a low stature, and a weakly constitution, but indefatigable in business; his leisure was employed in works of devotion and charity, and as he had a competent estate, and chose a single life, he had an opportunity of doing a great deal of good; he maintained several poor scholars at his own expense in the college, and when he died left a considerable benefaction to the same purpose. His last sickness was not long, his constitution being spent; but his behaviour was uncommon; he looked the king of terrors in the face with an unshaken resolution, and resigned his life this summer with a firm expectation of the mercy of God to eternal life, in the forty-sixth year of his age, and was buried at the new church at Westminster.

Mr. Henry Wilkinson, B.D., was born in Yorkshire, and educated at Merton-college, Oxford. In the year 1586, he was chosen probationer-fellow, and proceeded in arts; after some time he was made B.D., and in the year 1601 became pastor of Waddesdon in Bucks. He was a person of considerable learning and piety, and being an old Puritan, says Mr. Wood\*, was elected one of the assembly of divines in 1643, but he spent the chief of his time and labours among his parishioners at Waddesdon, by whom he was greatly beloved; here he died in a very advanced age, March 19, 1647—8, and lies buried in his own church.

Mr. John Saltmarsh, descendant of an ancient family in Yorkshire, was educated in Magdalen-college, Cambridge, and graduated there; he was esteemed a person of a fine active fancy, no contemptible poet, and a good preacher; he was first minister at Northampton, afterward at Braisted in Kent, and at length chaplain in sir Thomas Fairfax's army, where he always preached up love and unity; he meddled not with presbytery or independency, but laboured to draw souls from sin to Christ. He published some treatises, by which it appears he was of Antinomian principles. The manner of his death was extraordinary; December the 4th, 1647, being at his house at Ilford in Essex, he told his wife he had been in a trance, and received a message

\* Athen. Oxon. vol. 2. p. 59.



from God which he must immediately deliver to the army. He went that night to London, and next day to Windsor; being come to the council of officers he told them, that the Lord had left them: that he would not prosper their consultations, but destroy them by divisions among themselves, because they had sought to destroy the people of God, those who had stood by them in their greatest difficulties. He then went to the general, and without moving his hat told him, that God was highly displeased with him for committing of saints to prison. The like message he delivered to Cromwell, requiring him to take effectual means for the enlargement of the members of the army, who were committed for not complying with the general council. He then took his leave of the officers, telling them, he had now done his errand, and must never see them any more. After which he went to London, and took leave of his friends there, telling them his work was done, and desiring some of them to be careful of his wife. Thursday December 9, he returned to Ilford in perfect health; next day he told his wife, that he had now finished his work, and must go to his Father. Saturday morning, December 11, he was taken speechless, and about four in the afternoon he died\*.

## CHAPTER X.

THE SECOND CIVIL WAR. THE CONCLUSION OF THE ASSEMBLY OF DIVINES. THE PROGRESS OF PRESBYTERY. THE TREATY OF THE ISLE OF WIGHT. DEATH AND CHARACTER OF KING CHARLES I. HIS WORKS, AND THE AUTHORS OF HIS UNHAPPY SUFFERINGS. ANNO 1648.

THE king was all last winter a close prisoner in Carisbrook-castle, attended only by two servants of his own, and debarred of all other conversation, without the knowledge of the governor; nevertheless, by the assistance of some particular friends, he sent and received several letters from the queen, though his correspondence was discovered oftener than he was aware. His majesty made several attempts to escape, but was always prevented; captain Burley attempted to raise the island for him, but was apprehended and executed. However, in pursuance of the secret treaty with the Scots, already mentioned, an army was raising in that kingdom, to be commanded by duke Hamilton; but the English cavaliers, impatient of delay, without concerting proper measures among themselves, or with the Presbyterians, took up arms in several counties, to deliver the king from his confinement, and to restore him without any treaty with his parliament. The Welch appeared first, under major-general Langhorn, colonel Poyer, and Powel, three officers in the parliament-army, who had

\* Rushworth, p. 944.

privately accepted commissions from the prince of Wales \*. These were followed by others in Dorsetshire, Devonshire, Sussex, Surrey, Lincolnshire, Norfolk, Kent, Northamptonshire, Essex, and in the city of London itself. The insurrection in the city began on Sunday April 9, in Moorfields, by a company of young fellows with clubs and staves crying out, for God and king Charles. But after they had done some mischief in the night, and frightened the mayor into the Tower, they were dispersed next morning by the general at the head of two regiments. The Kentish men under the earl of Norwich, having plundered some houses were defeated near Maidstone, and having a promise of pardon, the main body laid down their arms; notwithstanding which the earl with five hundred resolute men crossed the Thames at the Isle of Dogs, and came as far as Mile-end Green, expecting assistance from the city; but being disappointed, he joined the Essex cavaliers under sir Charles Lucas and lord Capel, who surprised the parliament's committee at Chelmsford, and then shut themselves up in Colchester, where they maintained themselves against general Fairfax for ten weeks, till being reduced to the last extremity, they were forced to surrender at discretion, August 28†; after which the general marched round about the country, and having quieted all insurrections in those parts, returned to his head-quarters at St. Albans about Michaelmas. While Fairfax was in Kent and Essex, lieutenant-general Cromwell reduced the Welch about the end of June. At the same time, the earl of Holland and duke of Buckingham appeared at the head of five hundred horse and some foot near Kingston-upon-Thames, but they were soon dispersed; the earl was taken prisoner at St. Neot's in Huntingdonshire by colonel Scroop, and the duke of Buckingham, with great difficulty, escaped into the Low Countries. About the same time several of the parliament's ships revolted to the prince of Wales, then in Holland, who went on board, and with prince Rupert, lord Hopton, and others, sailed to the coast of

\* Rushworth, p. 1007.

† Dr. Grey is displeased with Mr. Neal, that he does not inform his readers, what use general Fairfax made of the power with which this unconditional surrender invested him. He seized sir Charles Lucas and sir George Lisle, and made them instant sacrifices to military justice. All the prisoners exclaimed against this as an unusual piece of severity: and some historians have censured it as a bloody step. Mrs. Macaulay represents it as an instance of the humanity of the general, that, though he had been provoked by many irritating circumstances in the conduct of the besieged, he selected the two chief commanders only, to avenge the innocent blood they had caused to be spilt. The fact was, that these two gentlemen had shewn themselves most implacable; had prevented the soldiers from accepting terms of indemnity offered by the parliament in the beginning; that the besieged had been exposed to the utmost extremities of famine; and that the Independents regarded the engaging the kingdom in a second war as an unpardonable crime. When sir Charles Lucas urged that the sentence of the general was unprecedented, a parliament-soldier standing by told him, "that he had put to death with his own hand some of the parliament's soldiers in cold blood." At which he was dismayed. A few days after, a gentleman in mourning for sir Charles Lucas appearing in his presence, the king wept. Mrs. Macaulay's History, vol. 4. p. 362, 363. Whitlocke's Memorials, p. 328-330.—Ed.



England, with a design to relieve Colchester; but although dis- appointed, he landed five hundred men about Deal and Sandwich and blocked up the Thames' mouth; but when the earl of Warwick came up with the parliament's fleet, he sailed back to Holland and most of the ships returned to the obedience of the parliament.

It was not without great difficulty that the king's friends in Scotland prevailed with the parliament of that kingdom to consent to the raising an army against England, the commissioner of the kirk and the whole body of their ministers being vehemently against it; and when it was put to the vote, eighteen lords and forty commoners entered their protests, from a strong suspicion, that by the vast resort of loyalists to Edinburgh, there was a private agreement between Hamilton and that party, to lay aside the covenant, and restore the king without any conditions, to prevent which the Scots parliament gave express orders, that none should be received into their army, or join with them at their entrance into England, except such as should take the covenant; but Hamilton, who betrayed their cause, found means to evade the order, by which means he ruined himself, and the party he intended to serve\*.

The Scots army entered England July 11th, to the number of twenty thousand foot† and six thousand horse, under the command of duke Hamilton, and were afterward joined by sir Marmaduke Langdale at the head of four thousand foot, and seven or eight hundred horse; but these being Englishmen and cavaliers who had not taken the covenant, were not incorporated with the Scots forces, but were obliged to march a day before them, which was Hamilton's contrivance to evade his orders. nevertheless, they composed one army, Langdale being to receive all his orders from Hamilton, and to act only by his directions. But though there was a private understanding between the generals, the subalterns and soldiers of both parties were not acquainted with it, and had the same incurable jealousy of each other as formerly; from the same motive the Presbyterians in the parliament at Westminster commissioned their army to oppose the Scots, though they came into England with an avowed intention of restoring the king upon the terms of the covenant; which was the supreme object of their wishes.

\* Rapin, vol. 2. p. 550. 553, folio. Hamilton's, Memoirs, p. 339.—Bishop Burnet endeavours to exculpate the duke from such a charge, and imputes the miscarriage of the expedition, in which he was leader, to his yielding to the counsel of others. The bishop sets against the report of his betraying the army several instances of his generous and disinterested conduct, in his care to preserve the army and to act for the king's advantage, at the risk of his own liberty and safety. Memoirs of the Duke of Hamilton, p. 365.—Ed.

† Dr. Grey here censures Mr. Neal for often speaking at random: because bishop Burnet, on the authority of Turner the adjutant-general, says, that "the forces of the Scots amounted only to ten thousand foot and four thousand horse." Memoirs of Hamilton, p. 356. But it may afford a sanction to Mr. Neal's representation, that, since he wrote, Mrs. Macaulay and Mr. Hume have given the same estimate of the army, led by duke Hamilton into England. With these agree Whitelocke, Memoirs, p. 327.—Ed.

It may seem surprising, however, that there was no good understanding between the two parliaments, when those of England sent commissioners to Edinburgh to accomplish it; but the Scots, being strongly persuaded that the parliament at Westminster was still governed by an army of Independents, all that Mr. Marshall and the rest could say was not sufficient to divert them from their enterprise, which is the easier accounted for, when the strength of the Hamiltonian faction, and their obligations to the king by their secret treaty, are considered. This engagement appears from the duke's letter to Lambert, in which he acquaints him, that he was commanded to enter England with an army, for maintaining the solemn league and covenant; for settling religion; for delivering the king from his base imprisonment; and freeing the parliament from the constraint put upon them\*. The state of affairs had undergone a considerable change by the rising of the English cavaliers; the army was in the field, and divided into several distant parts of the kingdom, and the Presbyterians in as full possession of the government as ever; they were renewing the treaty with the king, and sending propositions to the Scots to join with them; but the good understanding between the two nations having been interrupted last winter, by the growing influence of the army, who were no friends to covenant-uniformity, the Scots would not be satisfied with the present diminution of their power, unless they were entirely disbanded, and therefore had not changed the instructions to their general. On the other hand, the parliament could not with safety disband their army while the cavaliers were in the field; nor could they forbid their opposing the Scots, who had joined the common enemy, and were marching into England with an armed force, to deliver the king from his imprisonment, although they had concerted no measures with the two houses, or communicated their secret treaty with his majesty in the Isle of Wight. Thus the two parliaments of England and Scotland opposed each other, when both had the same views, and were actuated by the same principles. If the Scots army had been commanded by a general the Presbyterians could have confided in, and had marched directly for London without joining the cavaliers, the parliament of England would have gladly received them, and the citizens of London have opened their gates; for the English Presbyterians wished them well; but by joining the common enemy, who were in arms all over the kingdom, they were staggered; and duke Hamilton, who betrayed their cause by trifling away a whole month in the north, gave the English army, which was distributed into various parts, time to reunite and defeat all their enterprises†.

The Scots, invading England in this hostile manner, and in the midst of so many insurrections, awakened men's fears, and made them apprehend the cause was to be fought over again.

\* Rushworth, p. 1194. † Hamilton's Memoirs, p. 337. 345. 353, &c.



And while the parliament was alarmed on every side, the English army gave them strong assurances they would stand by them and march wheresoever the committee of the two houses (appointed to manage their motions) should direct. However, general Fairfax, who engaged heartily against the cavaliers, refusing to march against the Scots, because they had openly declared for the covenant, colonel Lambert was ordered into the north, with a flying squadron to harass them, till lieutenant-general Cromwell could come out Wales to his assistance. The Scots having been joined by sir Marmaduke Langdale, who had seized the important town of Berwick, marched through Cumberland and Westmoreland into Lancashire, without opposition; but upon the 17th of August, Cromwell, having joined Lambert, and refreshed his troops, faced them near Preston with eight or ten thousand men, and after a sharp engagement with the cavaliers under sir Marmaduke Langdale, who were almost a day's march before the duke, routed the whole Scots army, and took eight or nine thousand prisoners, with all their artillery and baggage; Hamilton fled with three thousand horse, but was so closely pursued by Lambert, that he surrendered without striking another stroke, and all his men were dispersed or made prisoners. Cromwell after this action pursued his victory, marching directly for Edinburgh which opened its gates; and having entered the city and changed the magistracy to his mind, he left three regiments of horse to keep the country quiet, and returned into England October 11 laden with martial glory and renown\*.

Before the army left London, and while their influence over the parliament continued, the commons, having taken into consideration the affair of settling the government, voted unanimously that the government of the kingdom should be still by king, lords, and commons, and that the propositions at Hampton-court should be the ground-work for a settlement, which shews that there was no design, as yet formed, of changing the government into a common-wealth, at least nothing appeared, though the agitators, who were the chief managers of the army, began to mutter, that if the king could not be brought to reason he must be set aside, and the duke of Gloucester, or one of his younger children, placed on the throne†.

The army had no sooner left the neighbourhood of the city, but the Presbyterians resumed the management of public affairs. May 5, the parliament resolved to maintain the solemn league and covenant, and to unite with the kingdom of Scotland upon the propositions of Hampton-court‡. The militia of the city of London was restored to the lord-mayor and common-council; the

\* "So he did (says Dr. Grey), but it was in the same sense that a company of highwaymen or banditti would return laden with martial glory and honour, after obtaining a good booty from the lawful owners of it." This remark shews the strain and spirit of Dr. Grey's Examination of Mr. Neal. Lord Clarendon, speaking of this transaction, with more truth and candour, calls it "this great victory."  
—E.D.

† Rushworth, p. 1074.

‡ Rapin, p. 504. 508. 511. 518.

eleven impeached members, and the seven peers, were discharged; and, in short, all that had been done against the Presbyterian greatness by the influence of the army last winter was reversed; so that as from August 6, 1647, to the beginning of May, 1648, the parliament may be supposed to have lain under some restraint from the army; from that time to the end of the treaty of the Isle of Wight, it was at full liberty, and entirely under Presbyterian direction\*. Petitions came now from divers counties, and from the city of London itself, for a personal treaty with the king; upon which the commons set aside their votes of non-addresses, and at the request of the lords consented to treat with the king, without his signing any preliminary propositions, hoping, as matters then stood, his majesty would not delay a moment to grant their demands, that he might be released from his confinement, and placed upon his throne, before the army should be at leisure to throw farther obstacles in the way; but here was the fatal oversight, the king and his friends would not condescend, nor the Presbyterians relax, till both were driven out of the field, and the army became irresistible.

Let the reader pause a little, and reflect with grief upon the miserable distractions of this unhappy kingdom; in this crisis were three or four powerful parties with separate views striving for mastery. The king, a close prisoner in the Isle of Wight, was the prize contended for; he had little or no weight to throw into either scale, though by signing the Scots treaty he was reputed the author of that invasion, and of the second civil war; the cavaliers were in arms to preserve the episcopal church of England; but having concerted no measures among themselves were easily dispersed. The Scots came into England in pursuance of the covenant, and the secret treaty in the Isle of Wight, but two mistakes ruined their enterprise; one was, their not communicating the contents of that treaty to the English Presbyterians which they might have done by their commissioners without the knowledge of the English army, before they had marched into England; the other was, duke Hamilton's acting in concert with the English cavaliers, allowing them to march in the van, which gave their enemies in the parliament at Westminster a fair opportunity of engaging the whole military power of England against them; for without all doubt, if the duke had prevailed, not only the Independent but the Presbyterian cause had been betrayed into the hands of the cavaliers, which must in the end have been equally fatal to both parties, and lost them all the advantages of the war. This fatal conjunction broke the strength of the English Presbyterians, and played the game into the hands of a third party, who destroyed the other two. The army, with whom were the Independents, Anabaptists and other sectaries, was governed by the agitators, who had given up the king, and had an incurable

\* Rushworth, p. 1127.



ble aversion to the cavaliers, and all who adhered to them, as their most determined enemies; nor could they confide in the Presbyterians, because in all their past treaties they had seen themselves made a sacrifice to covenant-uniformity. Upon the whole, all parties were stiff in their demands, disunited in their councils, and infinitely jealous of each other. Among the Presbyterians, some were for fighting only with the cavaliers, and others for opposing the Scots as invaders. Some of the cavaliers were for restoring the king by their own valour, and others for availing themselves of the assistance of the Scots. The army was no less distracted; those who served under general Fairfax were unwilling to march against the Scots Presbyterians; those under Cromwell were for encountering every power that would not secure them that liberty of conscience for which they had been contending; and despairing of this not only from the king, but from the Scots and English Presbyterians, they unhappily ran upon those extravagant measures which ended in the destruction of the king and overthrow of the whole constitution.

*Tantum religio potuit suadere malorum!*

But to return: the assembly of divines having finished their main business, was reduced to a small number, most of the country ministers having returned home, and those who remained about London were employed chiefly in the examination of such ministers as presented themselves for ordination, or induction into livings; thus they subsisted till February 22, 1648—9, about three weeks after the king's death, having sat five years, six months, and twenty-two days, in which time they had one thousand one hundred and sixty-three sessions. They were afterward changed into a committee for the purposes last mentioned, and met every Thursday morning till March 25, 1652, when the long parliament being turned out of the house by Oliver Cromwell, they broke up without any formal dissolution\*.

The works of the assembly, besides some letters to foreign churches, and occasional admonitions, were,

1. Their humble Advice to the Parliament for Ordination of Ministers, and Settling the Presbyterian Government.

2. A Directory for Public Worship.

3. A Confession of Faith.

4. A larger and shorter Catechism.

5. A Review of some of the Thirty-nine Articles.

The annotations on the Bible, which go under their name, were neither undertaken nor revised by them, but by a committee of parliament, who named the commentators, and furnished them with books; nor were they all members of the assembly, as appears by the following list.

Those with asterisks were not of the assembly.

\* MS. *penes me*.

WAS WRITTEN BY	
The commentary on the five books of Moses,	Rev. Mr. Ley, subdean of Chester
The two books of Kings,	} Dr. Gouge
The two books of Chronicles,	
Ezra,	
Nehemiah,	
Esther,	
The Psalms,	* Mr. Meric Casaubon
Proverbs,	Mr. Francis Taylor
Ecclesiastes,	Dr. Reynolds
Solomon's Song,	* Mr. Smalwood, recommended by arch- bishop Usher
Isaiah,	} Mr. Gataker
Jeremiah,	
Lamentations,	} * Mr. Pemberton in the first edition
Ezekiel,	
Daniel, and the smaller Prophets,	* Bishop Richardson in the second
Matthew,	} Mr. Ley
Mark,	
Luke,	
John,	
St. Paul's Epistles,	Dr. D. Featly; but his notes are broken and imperfect, the author dying before he had revised them.



There were two other persons concerned in this work, who might probably have the other parts of Scripture allotted them, not here mentioned, viz. Mr. Downham and Mr. Reading.

When posterity shall impartially review the labours of this assembly of divines, and consider the times in which they sat, they will have a just veneration for their memory; for though their sentiments in divinity were in many instances too narrow and contracted, yet with all their faults, amongst which their persecuting zeal for religion was not the least, they were certainly men of real piety and virtue, who meant well, and had the interest of religion at heart; and most of them possessed as much learning as any of their contemporaries; the names of Lightfoot, Selden\*, Gataker, Greenhill, Arrowsmith, Twisse, bishop Reynolds, Wallis, &c. will always meet with esteem from the learned world; and had they not grasped at coercive power, or jurisdiction over the consciences of men, their characters would have been unblemished. Mr. Baxter, who knew most of them, says, "They were men of eminent learning, godliness, ministerial abilities, and fidelity; and being not worthy to be one of them myself (says he) I may more fully speak the truth which I know, even in the face of malice and envy, that as far as I am able to judge by the information of history, and by any other evidences, the Christian world, since the days of the apostles, had never a synod of more excellent divines than this synod, and the synod of Dort†." The

\* Bishop Warburton here asks, with a sneer, "What had Selden here to do with ministers, Puritans, and persecutors?" The answer is, he was one of the Westminster assembly.—Ed.

† Baxter's Life, p. 73.



divine right of the Presbyterian government first threw them into heats, and then divided them, engaging them first with the parliament, and then with the Independents and Erastians; their opposing a toleration raised them a great many enemies, and caused a secession in their own body; for after they had carried the question of divine right, the Independents and Erastians deserted them, after which they found it very difficult to muster as many as would make a house. Had the parliament dissolved them at that juncture they had separated with honour, but they dwindled by degrees, as has been related; the business of the church being now translated to the provincial assemblies.

We have already remembered the two former of these assemblies; the third met May 3, this year, and chose the Rev. Mr. Whitaker moderator. In the fourth session they agreed to present a second petition to the parliament in the name of the province, humbly to desire, "1. That they would renew the consideration of their former petition. 2. That they would establish the two catechisms of the assembly of divines, and appoint them to be publicly taught throughout the kingdom. 3. That they would add their civil sanction to the new confession of faith. 4. That the directory for public worship may be better observed; and that better care may be taken for the observation of the Lord's day." In their twelfth session, October 6, they agreed to the report of their committee concerning the cause of the decay of religion, and of the increase of wickedness, which they say was chiefly owing to the want of able and settled ministers, there being above forty parish churches and congregations within the province which had no ministers settled among them by allowance of authority, a catalogue of which churches was subjoined. The reason of this defect being chiefly want of maintenance, they pray the houses, "to agree upon some method, that the dean and chapter lands, and the impropriations belonging to bishops, lying within this province, may be applied for the augmentation of the clergy's maintenance; and that there may be a fixed maintenance in every parish recoverable by the incumbent."

The fourth provincial assembly met November 3, the reverend Mr. Edmund Calamy moderator. In their third session, November 23, they ordered, that the several ministers of the province of London do begin the work of catechising; that they use the assembly's catechism, and no other; that the persons to be catechised be children and servants not admitted to the Lord's table; that the time be in the afternoon before sermon; and that they exhort their parishioners to encourage it. In their fourth session, November 30, they resolved, that the twelve classes of the province of London observe their course for ordination of ministers; and that at the close of every public ordination notice be given which class is to ordain next. But the nation being in confusion, and the clouds gathering thick over their heads,

they did little more this winter than keep a weekly fast \* among themselves, to avert the judgment of God, which threatened the life of the king, and the dissolution of the whole government.

The county of Lancaster being formed into another Presbyterian province this year, assembled at Preston, February 7, 1648, and published a kind of pastoral letter, or solemn exhortation to the several churches within their province, to the practice of those duties that were requisite to the supporting and carrying on the Presbyterian discipline, subscribed by the reverend

Mr. James Hyatt, moderator;

Mr. Thomas Johnson, assessor;

Mr. Edward Gee, scribe †.

They likewise appointed a committee to examine the paper called *The Agreement of the People* [hereafter to be mentioned], and tendered to the consideration of the nation by the officers of the army, with a desire that they would by subscription declare their concurrence to it; but it was carried in the negative ‡. The design of this paper was, to change the form of government into a kind of commonwealth, without a king or house of lords. It was published by way of probation, that they might learn the sense of the nation; but the article relating to religion being peculiar, and giving great offence to the Presbyterian clergy, shall be transcribed entire: "We do not empower our representatives (say they) to continue in force, or make any laws, oaths, or covenants, whereby to compel by penalties, or otherwise, any person to any thing, in or about matters of faith, religion, or God's worship; or restrain any person from professing his faith, or exercise of his religion according to his conscience, in any house or place, except such as are or shall be set apart for the public worship. Nevertheless, the instruction or direction of the nation in a public way, for matters of faith, worship, or discipline, so it be not compulsive, or express Popery, is referred to their discretion." The *Agreement* adds, "It is intended that the Christian religion be held forth and recommended as the public profession in this nation, which we desire may, by the grace of God, be reformed to the greatest purity in doctrine, worship, and discipline, according to the word of God. The instructing the people thereunto in a public way, provided it be not compulsive; as also the maintaining of able teachers for that end, and for the confutation and discovery of heresy, error, and whatsoever is contrary to sound doctrine, is allowed to be provided by our representatives; the maintenance of teachers may be out of a treasury, and we desire

\* Bishop Warburton's remark on this is, "These were glorious saints, that fought and preached for the king's destruction; and then fasted and prayed for his preservation, when they had brought him to the foot of the scaffold!" This remark goes on the supposition, that, to oppose the king's arbitrary views and measures was to fight and preach for his destruction. If it eventually proved so, from whence could it arise but from his adherence to his designs, till concessions came too late?—Ed.

† Vol. Pamph. No. 73.

‡ Rushworth, p. 1258.



not by tithes." But besides these, "all who profess faith in God by Jesus Christ, however differing in judgment from the doctrine, discipline, and worship, publicly held forth, shall be protected in the profession of their faith, and exercise of their religion according to their consciences, so as they abuse not this liberty to the civil injury of others, or the disturbance of the public peace." These were just and generous sentiments; however, the synod forbade their people to subscribe them, not only because the Agreement imported a change in the civil government, but because of the mischiefs that would attend a toleration; their reasons for which they published to the world March 6, 1648, subscribed by fifty-nine ministers.

The provincial assemblies of London met regularly every half year, to the year 1655, when finding themselves without power, and not being willing to apply\* to the protector and his parliament for support they desisted; but there were none legally formed in any other counties of England. However, the country ministers entered into voluntary associations, and erected a sort of classes for ordination of ministers, and promoting friendship and peace among themselves, many of the Independent ministers joining with them: the associations met once a month, at one or other church in the county, and, after prayers and a sermon, conferred upon the state of religion, and gave their advice upon such cases as were brought before them in a neighbourly and friendly manner.

To return to the parliament, which was now recruited with such Presbyterian members as had absconded, or deserted their stations, while the army was quartered in the neighbourhood of the city; these gentlemen, finding they had the superiority in the house, resumed their courage, and took the opportunity of discovering their principles and spirit, in passing such a law against heretics as is hardly to be paralleled among Protestants†. It had been laid aside by the influence of the army for above nine months, till May 1, when it was voted, that all ordinances concerning church-government referred to committees be brought in and debated; and that the ordinance concerning blasphemy and heresy be now determined, which was done accordingly. This was one of the most shocking laws I have met with in restraint of religious liberty, and shows, that the governing Presbyterians would have made a terrible use of their power, had they been

\* Bishop Warburton says, that they did apply to the protector, "and received such an answer as they deserved." A deputation of the London ministers went to him to complain, that the cavalier episcopal clergy got their congregations from them, and debauched the faithful from their ministers. "Have they so? (said the protector) I will take an order with them;" and made a motion, as if he was going to say something to the captain of the guards; when turning short, "But hold! (said he) after what manner do the cavaliers debauch your people?" "By preaching," replied the ministers. "Then preach back again," said this able statesman; and left them to their own reflections.—ED.

† Scobel's Collect. cap. 114, p. 149.

supported by the sword of the civil magistrate \*. The ordinance is dated May 2, 1648, and ordains, "that all persons who shall willingly maintain, publish, or defend, by preaching or writing, the following heresies with obstinacy, shall, upon complaint, and proof, by the oaths of two witnesses, before two justices of the peace, or confession of the party, be committed to prison, without bail or mainprize, till the next gaol delivery; and in case the indictment shall then be found, and the party upon his trial shall not abjure his said error, and his defence and maintenance of the same, he shall suffer the pains of death †, as in case of felony, without benefit of clergy; and if he recant or abiure, he shall remain in prison till he find sureties that he will not maintain the same heresies or errors any more; but if he relapse, and is convicted a second time, he shall suffer death as before. The heresies or errors are these following:

1. "That there is no God.
2. "That God is not omnipresent, omniscient, almighty, eternal, and perfectly holy.
3. "That the Father is not God, that the Son is not God, that the Holy Ghost is not God, or that these three are not one eternal God; or, that Christ is not God equal with the Father.
4. "The denial of the manhood of Christ, or that the godhead and manhood are distinct natures; or, that the humanity of Christ is pure and unspotted of all sin.
5. "The maintaining that Christ did not die, nor rise again, nor ascend into heaven bodily.
6. "The denying that the death of Christ is meritorious on the behalf of believers; or, that Jesus Christ is the Son of God.
7. "The denying that the Holy Scriptures of the Old and New Testament are the word of God.
8. "The denying of the resurrection of the dead, and a future judgment."

The ordinance proceeds to specify some other errors of less demerit, and says, "that whosoever shall maintain or defend them, shall, upon, conviction by the oaths of two witnesses, or by his

\* Mr. Neal has done himself honour by the strong terms of reprobation, in which he speaks of this intolerant, iniquitous, and cruel ordinance. It cannot be condemned in too severe terms: though Dr. Grey insinuates, that there was occasion for it in the "monstrous opinions," as he calls them, which prevailed in those times; and for which he refers to Edwards's *Gangræna*. "Besides the severity of the penalties, which this ordinance denounced, the mode of process which it appointed," as I have observed in another place, "was arbitrary and repugnant to the constitution of this country in particular, as well as opposite to the general principles of equity and justice: for it allowed neither the privilege of a jury, nor the liberty of an appeal. Such is the operation of religious bigotry." See a *Review of the Life, Character, and Writings of the Rev. John Biddle*, p. 52. The nature of this ordinance is fully considered from p. 48 to 56.—ED.

† Death, under Constantius the son of Constantine, was made the punishment of idolatry: the like sentence is here inflicted upon the worshippers of the only living and true God, the creator and governor of the world. "How fluctuating and convertible (observes an excellent writer) are all penal laws in religion!" Dr. Disney's *Life of Dr. Jortin*, p. 136, 137.—ED.



own confession before two justices of peace, be ordered to renounce the said error or errors in the public congregation of the parish from whence the complaint comes, or where the offence was committed; and in case of refusal he shall be committed to prison till he find sureties that he shall not publish or maintain the said error or errors any more. The errors are these following:

1. "That all men shall be saved.
2. "That man by nature hath free will to turn to God.
3. "That God may be worshipped in or by pictures or images.
4. "That the soul dies with the body, or after death goes neither to heaven or hell, but to purgatory.
5. "That the soul of man sleeps, when the body is dead.
6. "That the revelations, or workings of the Spirit, are a rule of faith, or Christian life, though diverse from or contrary to the written word of God.
7. "That man is bound to believe no more than by his reason he can comprehend.
8. "That the moral law contained in the ten commandments is no rule of the Christian life.
9. "That a believer need not repent, or pray for pardon of sin.
10. "That the two sacraments, of baptism and the Lord's supper, are not ordinances commanded by the word of God.
11. "That the baptism of infants is unlawful and void; and that such persons ought to be baptized again.
12. "That the observation of the Lord's day, as enjoined by the ordinances and laws of this realm, is not according, or is contrary to the word of God.
13. "That it is not lawful to join in public or family prayer, or to teach children to pray.
14. "That the churches of England are no true churches, nor their ministers and ordinances true ministers and true ordinances; or, that the church-government by presbyters is antichristian or unlawful.
15. "That magistracy, or the power of the civil magistrate, by law established in England, is unlawful.
16. "That all use of arms, though for the public defence (and be the cause never so just), is unlawful."

This black list of heresies was taken from the speeches or writings of the Papists, Arminians, Antinomians, Arians, Baptists, and Quakers, &c. of these times. The ordinance was a comprehensive engine of cruelty\*, and would have tortured great numbers of good Christians and good subjects. The Presbyterians of the present age are not only thankful that the confusion of the times did not permit their predecessors to put this law into execution, but wish also that it could be blotted out of the records of time,

\* The indignation which the liberal mind feels at the principles and spirit of those, who, themselves recently suffering under the hard hand of intolerance, could frame and pass such a law, is somewhat relieved by finding that it did not pass without much opposition. Whitelocke's Memor. p. 302.—Ed.

as it is impossible to brand it with the censure equal to its demerits.

June 21, the army being still in the field, and the parliament at liberty, the ordinance for the more effectual settling the Presbyterian government, without limitation of time, was read the second time and committed, and on the 29th of August it was perfected, and received the sanction of both houses, under the title of "A form of church-government to be used in the churches of England and Ireland\*." It is a collection of the several ordinances for establishing the branches of presbyterial government already mentioned, and ordains, that "all parishes and places whatsoever within England and Wales shall be under the government of congregational, classical, provincial, and national assemblies, except the houses or chapels of the king and his children, and of the peers of the realm, which are to continue free for the exercise of divine duties, according to the Directory, and not otherwise; it gives directions for the choice of ruling elders in every parish, and for proper persons to be judges of the qualifications of the persons chosen; it appoints commissioners to divide the whole kingdom into distinct classical presbyteries; it gives direction about the constituting of provincial and national synods, with the extent of their several powers; it determines the method of ordination of ministers, of dispensing church-censures, and suspension from the sacrament; and last of all, it gives direction for excommunication and absolution," but lays no penalty upon recusants, or such as do not come to the sacrament, or submit to their discipline; which was the utmost length that presbytery obtained in this kingdom.

The parliament having agreed to treat with the king without any preliminary conditions, sent the earl of Middlesex, sir John Hippisly, and Mr. Bulkely, to acquaint his majesty with their resolutions, and to desire him to appoint what place he pleased in the Isle of Wight for the congress: his majesty seemed pleased with the message, and sent a letter to the two houses August 10, desiring them to recall their votes, which forbade the access of his friends, and to direct that men of necessary use in this affair may be permitted to assist him; and that the Scots be parties in the treaty†. His majesty then appointed Newport in the Isle of Wight for the place of conference. To all which the lords agreed without any restriction; but the commons insisted, that no person lately in arms against the parliament be of the number; that the Scots be not included; and that if his majesty be at liberty as at Hampton-court, he pass his royal word not to go out of the island during the treaty, nor twenty-eight days after, without consent of parliament.

Upon these conditions his majesty was conducted to Newport, and left at liberty upon his parole of honour. Several noblemen, gentlemen, divines, and lawyers, were appointed to assist him in

\* Scobel, cap. 117. p. 165.

† Rushworth, vol. 2. p. 1236.



the treaty, who were to stand behind his majesty's chair and hear the debates, but not to speak, except when the king withdrew into another room for their advice; the names of his divines were\*, Dr. Juxon bishop of London, Dr. Duppa bishop of Salisbury, Dr. Sheldon, Dr. Hammond, Dr. Oldisworth, Dr. Saunderson, Dr. Turner, Dr. Haywood; and towards the end of the treaty Dr. Usher archbishop of Armagh, Dr. Bramhall, Dr. Prideaux, Dr. Warner, Dr. Ferne, and Dr. Morely; Dr. Brownrigge, bishop of Exeter, was also sent for, but he was under restraint. And Dr. Sheldon, Dr. Hammond, and Dr. Oldisworth, being also under restraint, were not permitted to stand.

The parliament appointed five noblemen, and ten commoners, with four divines, to assist them in their debates touching religion, viz. Mr. Vines, Mr. Caryl, Dr. Seaman, and Mr. Marshal. The treaty was to continue forty days, and to proceed upon the propositions of Hampton-court†. September 12, the parliament observed a day of public fasting and prayer, for a blessing; and some days after, the king and his household did the like, when after the public service the following prayer was read, drawn up by his majesty's direction.

"O most merciful Father, Lord God of peace and truth, we, a people sorely afflicted by the scourge of an unnatural war, do earnestly beseech thee to command a blessing from heaven upon this present treaty, begging for the establishment of a happy peace. Soften the most obdurate hearts with a true Christian desire of saving those men's blood for whom Christ himself hath shed his; or if the guilt of our great sins cause this treaty to break off in vain, Lord, let the truth clearly appear, who those men are, who under pretence of the public good do pursue their own private ends; that this people may be no longer so blindly miserable as not to see, at least in this their day, the things that belong to their peace. Grant this, gracious God, for his sake, who is our peace itself, even Jesus Christ our Lord." Amen.

The conferences opened on Monday September 18, about nine in the morning, at the house of sir William Hodges. The first day the commissioners presented the king with a draught of three bills; the first to establish the Presbyterian government ‡ for ever

\* According to Dr. P. Williams's MS. collections, to which Dr. Grey pays great deference, the order was limited to Dr. Juxon and Dr. Duppa: and Dr. Sheldon, Dr. Hammond, and Dr. Oldisworth, were not permitted to go to the king, being under restraint. But Mr. Neal's list, except as to these three, is confirmed by Whitelocke, with this difference, that Dr. Usher, Bambridge, Prideaux, Warner, Ferne, and Morely, were not included in the first appointment; but were allowed to attend the king in consequence of a message from him on the 3rd of November. Memor. p. 341.—Ed.

† Rapin, vol. 2. p. 559.

‡ "The utter extinction of episcopacy, and their setting up their own idol in its stead, was the superior consideration for which, it is plain, the Presbyterians had entered into the hazard of war: this was the chief cause of their quarrel with their old associates the Independents; and the not being fully gratified on this article the king, was, in their eyes, losing the best fruits of their success. The parlia-

in the church of England ; the second to relinquish the militia to the two houses for thirty years ; and the third to recall all his majesty's declarations against the parliament. To the last of these the king readily consented, but excepted to the preamble, in which were these words, "that the two houses of parliament had been necessitated to enter into a war in their just and lawful defence". Instead of which, the king proposed an act of indemnity ; but the commissioners insisting peremptorily upon the words as those without which they could not be safe, his majesty with great reluctance consented, having first protested in writing, that no concession of his should be binding if the treaty broke off without effect. His majesty yielded the militia to the parliament for twenty years ; and the management of the Irish war. He conceded to vacate those titles of honour that had been conferred since the carrying away the great seal, and to confirm the parliament's great seal. He agreed to the payment of the public debts, provided they were stated within two years ; to confirm the charter of the city of London ; to empower the parliament to confer offices, and constitute magistrates for twenty years ; and to take away the court of wards, provided he might have 50,000*l.* a year in lieu of it †. His majesty consented farther, that those of his party whom they call delinquents ‡ should submit to a fine or be proscribed the court, if the parliament saw fit ; but he abhorred the thought of charging them with treason who had acted by his commission, and therefore absolutely refused to consent to it.

With regard to religion, his majesty agreed, October 2nd, that "the assembly of divines at Westminster be confirmed for three years ; that the Directory and Presbyterian government be confirmed for the same time, provided that neither himself nor those of his judgment be obliged to comply with it ; that a consultation in the mean time be had with the assembly, and twenty divines of his majesty's nomination, as to what form of church-government shall be established afterward, with a clause for the ease of tender consciences. His majesty consented farther, that legal estates for lives, or for a term of years, not exceeding ninety-nine, should be

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ment's commissioners with earnestness, and even tears, assured the king, that all his concessions would be useless, unless he gave up the point of episcopacy : he absolutely refused farther yielding on this article, and the parliament voted his concessions unsatisfactory." Macaulay's *History of England*, 8vo. vol. 4. p. 365, 366.—Ed.

\* Rushworth, p. 1263.

† It appears, by Dr. Grey's authority, Williams's MS. collection, whose account is confirmed by the representations which Mr. Hume and Mrs. Macaulay give of this matter, that Mr. Neal is mistaken about the sum granted in lieu of the wards ; which was not 50,000*l.* but 100,000*l.* Since this was written, I find the matter put out of all doubt by Whitlocke, p. 341, who says, that 100,000*l.* was the sum.—Ed.

‡ Dr. Grey has given at length the act proposed by the parliament's commissioners relative to delinquents : whom the king absolutely refused to give up. "The severe repentance, which he had undergone for abandoning Strafford, had no doubt (remarks Mr. Hume) confirmed him in the resolution never again to be guilty of the like error."—Ed.



made out of the bishops' lands and revenues, for the satisfaction of them that have purchased them, provided that the inheritance may still remain to the church, and the rest be preserved for their maintenance. His majesty will consent farther, to an act for the better observation of the Lord's day; for suppressing innovations in churches and chapels; for the better advancing of preaching God's holy word; and against pluralities and nonresidence. To an act for regulating and reforming the universities and the colleges of Westminster, Winchester, and Eton; for the better discovery of Papists, and for the educating their children in the Protestant religion. To an act for better putting the laws in execution against Papists, and to prevent the hearing and saying mass; but as to the covenant, his majesty is not as yet satisfied to sign or swear to it, or consent to impose it on the consciences of others \*."

These concessions about church-government being declared not satisfactory, as amounting only to a sort of interim, his majesty desired to confer with the parliament-divines for the satisfaction of his conscience, having been bred and instructed (as he said) in the way he stands for, by his father, the wisest king and best man in the world, and therefore could not easily yield. There is hardly any thing to be met with in this conference but what has been already taken notice of in his majesty's debate with Mr. Henderson, and in the answer of the Smectymnuean divines to bishop Hall, in the first volume of this history; and therefore it will be the less necessary to enter into the particulars of the debate. His majesty proposed some scruples in law about the obligation of his coronation-oath, which the commissioners undertook to answer themselves; but the papers relating to the unalterable institution of episcopacy were referred to the divines on both sides, and were as follow:

*The king's first paper.*

Newport, October 2, 1648.

"CHARLES REX.

"I conceive that episcopal government is most consonant to the word of God, and of an apostolical institution, as it appears by the Scripture to have been practised by the apostles themselves, and by them committed and derived to particular persons as their substitutes or successors therein (as for ordaining presbyters and deacons, giving rules concerning Christian discipline, and exercising censures over presbyters and others †), and has ever since, till these last times, been exercised by bishops in all the churches of Christ; and therefore I cannot in conscience consent to abolish the said government.

"Notwithstanding this my persuasion, I will be glad to be

\* Rushworth, p. 1281.

† Acts vi. 6; xiv. 23. 1 Cor. v. 3; xiv. and xvi. 1. 3 John ix. 10. 1 Tim. v. 19. 22. Titus i. 5; iii. 10. Rev. ii. 3.

informed, if our Saviour and his apostles did so leave the church at liberty, as they might totally alter or change the church-government at their pleasure, which if you can make appear to me, then I will confess that one of my great scruples is clean taken away, and then there only remains,

“That being by my coronation-oath obliged to maintain episcopal government, as I found it settled to my hands, whether I may consent to the abolishing thereof until the same shall be evidenced to me to be contrary to the word of God \*.”

The parliament divines, in answer to the first part of his majesty's paper, admit, that the apostles did exercise the extraordinary powers his majesty mentions; but deny, that they conferred them upon any particular persons as their substitutes or successors, and insist, that in Scripture there are only two orders of officers, viz. bishops and deacons: Phil. i. 1, “To the saints at Philippi that are in Christ Jesus, with the bishops and deacons:” and that the name, office, and work, of a bishop and presbyter are, the same, as in Titus i. 5 and 7; “For this cause I left thee in Crete—that thou shouldst ordain presbyters in every city; for a bishop must be blameless.” Acts xx. 27, 28, Paul called the presbyters together, and charged them to “take heed to the flock over which the Holy Ghost had made them bishops†.” 1 Pet. v. 1, 2, “The presbyters among you, I exhort, who also am a presbyter, feed the flock of God among you, performing the office of bishops‡.” As the apostles were extraordinary officers, so were Timothy and Titus, viz. evangelists, but neither of them are called bishops in Scripture, much less were they fixed to Ephesus or Crete, but travelled up and down to settle churches in several countries. They observe farther, that in the same order of officers there was not any one superior to another; no apostle above an apostle, no presbyter above a presbyter, nor one deacon above another. They add, that the angels of the churches in the Revelation are never called bishops, nor is the word used in any of St John's writings, who calls himself a presbyter; from whence they argue the identity of these offices in Scripture, and the equality of the officers. They admit, that not long after the apostles' times bishops are reported to have some superiority above presbyters, but this was not a divine but an ecclesiastical institution, as is evident from the testimony of the most ancient fathers, and the most considerable writers in the Romish church; to which they add the suffrage of the first reformers in king Henry VIII.'s reign. The *Erudition of a Christian Man*, printed 1643, says expressly, that the Scripture mentions but two orders, i. e. bishops or priests, and deacons. They conclude with observing, that the modern episcopacy is very different from that which began to obtain in the second and third ages of the church, insomuch that the present hierarchy,

\* Rel. Carol. vol. 2. p. 245.

† Ἐπίσκοπος.

‡ Ἐπισκοπῶντες.



being a human institution, might be abolished, and the other remain.

After three days his majesty, with the assistance of his learned divines, replied to the foregoing paper, and acknowledges, "that the words *bishop* and *presbyter* are sometimes confounded in Scripture; he admits, that presbyters are *episcopi gregis*, bishops of the flock; but that bishops are *episcopi gregis et pastorum* within their several precincts, i. e. bishops of the flock and of the pastors too; and that soon after, common usage appropriated bishop to the ecclesiastical governor, leaving presbyter to signify the ordinary minister or priest, as appears from the ancient fathers and councils. He admits the calling of the apostles and their gifts to be extraordinary, but adds, that their mission to govern and teach was ordinary and perpetual; that the bishops succeeded them in the former, and presbyters in the latter function\*.

His majesty still insists, "that Timothy and Titus were bishops, as appears from antiquity, and by a catalogue of twenty-seven bishops of Ephesus lineally descending from Timothy, as is avouched by Dr. Reynolds against Hart; and therefore the distinction between an evangelist and a bishop is without foundation, the work of an evangelist being no more than diligence in preaching the word, notwithstanding all impediments, according to the apostle, 2 Tim. ii. 4, 5. His majesty observes, that the parliament divines had said nothing to prove that the 'angels of the churches' were not *personæ singulares*, and such as had a prelacy over pastors, i. e. bishops, but that they dealt only in generals, and seemed unwilling to speak their opinions about them.

His majesty affirms, "that bishops are the successors of the apostles in all things not extraordinary, such as teaching and governing; and the reasons why they are not mentioned as a distinct order in the New Testament, are, 1. Because the apostles reserved to themselves the government of those churches where they appointed presbyters, and so it is probable the Philippians had no bishop when Paul wrote to them. 2. Because in the Epistles to Timothy and Titus, the persons to whom he wrote being themselves bishops, there was no need to write about the qualifications of any other officers than those they wanted, which were presbyters and deacons only.

His majesty admits, concerning the ages after the apostles, "that they are but a human testimony, and yet may be infallible in matter of fact, as we infallibly know that Aristotle was a Greek philosopher, &c.; he avers the genuineness of those epistles of Ignatius, which gave testimony to the superiority of a bishop above a presbyter; and though his majesty's royal progenitors had enlarged the power and privileges of bishops, he conceives the government to be substantially the same."

\* Rel. Carol. p. 260.

Eleven days after the parliament-divines replied to the king's second paper, in which they say, that they can find no such partition of the apostolical office in Scripture, as his majesty mentions, viz. that the governing part should be committed to bishops, the teaching and administering the sacraments to presbyters; but that the whole work, *per omnia*, belongs to presbyters, as appears from the two words used in the Acts of the Apostles and St. Peter's Epistle, *ποιμαίνειν*, and *ἐπισκοπεῖν*, under the force of which words the bishops claim their whole right of government and jurisdiction; and when the apostle Paul was taking leave of the Ephesian presbyters and bishops, he commits the government of the church not to Timothy, who was then at his elbow, but to the presbyters, under the name of bishops made by the Holy Ghost: from whence they conclude, that bishops and presbyters must be only two names of the same order\*. They observe, that the obscurity of church-history in the times succeeding the apostles made the catalogue-makers take up their succession upon report; and it is a blemish to their evidence, that the nearer they come to the days of the apostles, they are the more doubtful and contradictory. These divines are therefore of opinion, that human testimony on both sides ought to be discharged, and the point in debate be determined only by Scripture. And here they take hold of his majesty's concession, that in Scripture the names of bishops and presbyters are not distinguished: and that there is no mention but of two orders, bishops and deacons. They desire his majesty to shew them, where the Scripture has assigned any particular work or duty to a bishop that is not common to a presbyter, for they apprehend his majesty's asserting, that a bishop is an ecclesiastical governor, and a presbyter an ordinary minister, is without any demonstration or evidence; a few clear passages of Scripture for the proof of this (they say) would bring the point to an issue. They deny his majesty's distinction of *episcopi gregis et pastorum*, bishops of sheep and shepherds, as being the point in question, and affirmed without any evidence.—That the office of teaching and governing was ordinary in the apostles, because continued in the church, we crave leave to say, is that great mistake which runs through the whole file of your majesty's discourse; for though there be a succession in the work of teaching and governing, there is no succession in the commission or office, by which the apostles performed them; a succession may be to the same work, but not to the same commission; and since your majesty cannot produce any record from Scripture warranting the division of the office of teaching and governing into two hands, we must look upon it as an invention of men to get the power into their hands.

These divines go on with a long proof that Timothy and Titus were evangelists; that is, not fixed to one place, but travelling

\* Rel. Carol. p. 277.



with the apostles from one country to another to plant churches, and accordingly have drawn out an account of their travels from the Acts of the Apostles, and St. Paul's Epistles. They observe the weakness of his majesty's reasons, why bishops are not mentioned as a distinct order in Scripture, and add a third of their own, viz. because really they were not. As for the apostles reserving in their own hands the power of governing, they admit, that they could no more part with it than with their apostleship. Had they set up bishops in all churches, they had no more parted with their power of governing, than in setting up presbyters; presbyters being called rulers, governors, and bishops; nor could the apostles reasonably be supposed to commit the government of the church of Ephesus to the presbyters, when he was taking his last farewell of them, and yet reserve the power of governing, in ordinary, to himself. His majesty's other reason, they say, is inconclusive, and in short begging the question. They add, that it is very unaccountable, that if there had been two sorts of bishops, one over presbyters, and the other over the flock, that there should be no mention, no mark of difference, no distinct method of ordination, by which they might be distinguished, throughout the whole New Testament.

As to the ages after the apostles, they admit there were presbyter bishops, but not of divine institution; that the catalogues of succession are undoubtedly defective, but if they were not, it remains still to be proved, that the bishops in the catalogue were vested with the jurisdiction which the modern bishops claim.

These divines profess to honour the pious intentions of his majesty's ancestors, and admit, that ornamental accessions to the person make no substantial change in the office, but that the primitive episcopacy, and the present hierarchy, are essentially different. They acknowledge a subordination of the exercise of jurisdiction to the civil power, and the laws of the land; and conclude with thanks to his majesty's condescension, in allowing them to examine his learned reply, clothed in such excellence of style, and pray, that a pen in the hand of such abilities may ever be employed on a subject worthy of it.

Some days after his majesty offered his last paper, wherein "he acknowledges the great pains of these divines to inform his judgment, and takes particular notice of the decency of their manner, and of their respectful address to him upon this occasion, but says they mistook him, when they spoke of a writ of partition of the episcopal office; whereas his meaning was, that the office of teaching was common both to the bishop and presbyter, but that government was peculiar to the bishop\*." His majesty declines answering to all the particulars, because he would not draw out the dispute into a greater length, but seems unconvinced by any thing that had been offered; he affirms, that Timothy and Titus

\* Rel. Carol. p. 324.

were *episcopi pastorum*, bishops over presbyters; and that Timothy had a distinct work from presbyters, that is, that he might know how to behave himself in the exercise of his episcopal office. His majesty relies on the numerous testimonies of ancient and modern writers for the Scripture original of bishops, and adds, that the testimonies of an equal number of equal credit to the contrary will signify nothing, because one witness for the affirmative ought to be of more value than ten for the negative.—In conclusion his majesty put them upon evidencing one of these three things, (1.) Either that there is no form of church-government prescribed in Scripture. Or, (2.) If there be, that the civil power may change it as they see cause. Or, (3.) If it be unchangeable, that it was not episcopal, but some other that they will name, for till this is done he shall think himself excusable for not consenting to the abolishing that government which he found settled at his coronation; which is so ancient, has been so universally received in the Christian world, has been confirmed by so many acts of parliament, and subscribed by all the clergy of the church of England. But the ministers declined entering into so large a field, which must have brought on a debate concerning the whole ecclesiastical polity of the church.

These were all the papers which passed on both sides, and deserve the notice of those who would enter into this controversy. His majesty saying, that one witness for the affirmative, that episcopacy is of divine institution, ought to be of more value than ten for the negative, is, I apprehend, one of the weakest and most frivolous arguments of his letter; for it is only changing the form of the question, and making the Presbyterian say, that presbytery is of divine institution, and then asking his majesty, or any episcopal divine, whether one affirmative testimony ought not to be of more value than ten negative ones of equal merit. His majesty's style is strong and masculine, and that of the parliament-divines decent and respectful. Sir Philip Warwick read the king's papers before the commissioners, and Mr. Vines those of the ministers: all was managed with the greatest propriety, which makes it hard to excuse lord Clarendon's account of the behaviour of these divines, who says \*, "they all behaved with that rudeness, as if they meant to be no longer subject to a king any more than to a bishop; that they inveighed bitterly against the pride and lustre of lord-bishops; that two of them very plainly and fiercely told the king, that if he did not consent to the utter abolishing of bishops he would be damned; these men were Spurstow and Jenkins, who, after the return of king Charles II. according to the modesty of that race of people, came to kiss his majesty's hand." And yet neither of the divines above mentioned was nominated to assist at the treaty, nor had any share in the debates. Mr. Baxter says, all the parliament-divines came off

\* Vol. 3. p. 216.



with great honour. But such is his lordship's or his editor's candour towards any thing that looks like a Presbyterian!

The king's second difficulty, relating to his coronation-oath, by which he apprehended himself bound to maintain episcopal government as he found it settled when he received the crown, the commissioners did not think so proper for the discussion of divines, because it depended upon the law of the land, and therefore took this part of the debate upon themselves. The king conceived, that the consent of the clergy themselves in convocation assembled, was necessary, before they could be deprived of those possessions and privileges of which they were legally possessed. But the commissioners maintained, that the legislature alone was to determine in this case, as it had done at the Reformation; that it was not to be supposed, that any body of men would consent to part with their possessions if they could keep them; but if the legislature judged any part of the king's coronation-oath hurtful to the public, it was certainly in their power, with the consent of the king, to alter or annul it.—One may justly ask how this branch of the coronation-oath should stick so much with the king, when it was notorious that his government for almost fifteen years had been one continued breach of magna charta, and an encroachment upon the civil liberties of his subjects.

But neither party would accede to the other, though the article of religion was almost the only point that hindered the conclusion of the treaty: his majesty wondered at the shyness and reluctance of the parliament-divines to debate his three questions, and told them plainly, that their endeavours to give him satisfaction in them, would have added to the reputation of their ingenuity in the whole undertaking, it not being probable that they should work much upon his judgment, while they were fearful to declare their own; or possible to relieve his conscience but by a free declaring of theirs\*. But what was all this to the point? the only question before them was, whether diocesan episcopacy was of divine institution? if they had satisfied his majesty in that, they had discharged their duty; to launch out farther was to lose time, and protract the treaty beyond its limits. If diocesan episcopacy was not scriptural, it might be abolished, which was all the parliament contended for at present†. But the king's divines encouraged him to dispute every inch of ground, and instead of yielding any one point to the ministers, to start new difficulties, till his ruin was inevitable. However, towards the close of the treaty, when the victorious army was returning towards London, and things almost come to an extremity, his majesty told the commissioners, "that though he could not with a good conscience consent to the abolishing of episcopacy, because he believed the substance of it to be of apostolical institution, he was willing to reduce it to the primitive usage; and if his two

\* Rushworth, p. 1291.

† Ibid. p. 1301, 1302.

houses should so advise, he would be content to lessen the extent and multiply the number of diocesses. He still apprehended the entire alienation of the bishops' lands by sale to be sacrilege.—He was willing to assent to the calling and sitting of the assembly of divines as desired.—He would also confirm the public use of the Directory in all churches and chapels, and would repeal so much of all statutes as concerned the Book of Common Prayer only; provided the use thereof might be continued in his majesty's chapel for himself and his household; and that the same [i. e. the Directory] should be confirmed by act of parliament for three years, provided a consultation be had in the mean time with the assembly of divines as before mentioned.—Touching the articles of religion [the assembly's confession], his majesty desired farther time to examine them before he bound up himself and his subjects in matters of faith and doctrine.—His majesty will consent to an act for better observation of the Lord's day, and to prevent saying of mass.—But as to the covenant, his majesty was not satisfied to take it, nor to impose it upon others."

These concessions being voted unsatisfactory by the two houses at Westminster, his majesty consented farther, October 21, "1. That archbishops, chancellors, deans, and the whole hierarchy, be abolished except bishops. 2. That none but the Presbyterian government be exercised for three years. 3. That in case no settlement should be agreed upon within that time, that then for the future the power of ordination should not be exercised by bishops without the counsel and assistance of presbyters; that no other episcopal jurisdiction should be exercised but such as should be agreed upon in parliament; and if within that time his majesty should be convinced that episcopacy is not agreeable to the word of God, or that Christ commanded any other government, he will embrace it, and take episcopacy quite away." The houses being still dissatisfied with these concessions, his majesty added, November 4, "that he would make no new bishops for three years; and for the farther satisfaction of the parliament, he would not insist upon the use of the Common Prayer in his own chapel for that time, but would make use of some other form of divine service for himself, and forbid mass to be said in the queen's chapel." This was his majesty's final answer, which the commons voted unsatisfactory, and ordered the commissioners to acquaint him with their votes.

The treaty was prolonged three weeks after this, in which time the commissioners did all that was in their power to obtain his majesty's consent, beseeching him with tears upon their bended knees, since matters were brought to so narrow a compass, to yield up the point of religion. In their last paper of November 20, they beseech him to consider, "that it is not the apostolical bishops which the parliament desire him to abolish, but that episcopacy which was formerly established by law in this kingdom, and has



been found by experience to be a hinderance to piety, a grievance to the subject, an encroachment upon the power of the civil magistrate, and so a burden to the persons, purses, and consciences of men. They do not meddle with the apostolical bishop, nor determine what that bishop was whom the apostles mention in the Scripture; but they are for putting him down by a law who was set up by a law; and certainly nothing can be more proper for parliaments, than to alter, repeal, or make laws, which appear to them for the good of the commonwealth.

“But admitting apostolical bishops were within the purport of this bill, we humbly conceive it does not follow, that therefore in conscience it must not be passed, for we may not grant, that no occasion can make that alterable which has foundation only in the practice of the apostles, and not in a precept\*. Some things have certainly been altered which the apostles practised; circumstances many times change the nature of moral actions; for the attaining a great good, or the avoiding a great evil, that which singly considered is not fit to be done, and perhaps would be a fault if it were, may become a duty, and a man may be bound in conscience to do it. And if ever circumstances could have a more powerful and considerable influence than in this juncture, we leave to your majesty’s consideration. But this is said only for argument’s sake, admitting but not granting the grounds on which your majesty is pleased to go, in refusing to pass this bill †.” The strength of the commissioners’ reasoning upon this head may be seen at once in this short syllogism; Whatsoever is not of divine institution may be very lawfully altered, changed, or reversed.—But the episcopacy which is established in the church of England is not that episcopacy mentioned in Scripture—therefore the laws which established it may take it away.

The commissioners go on, “As for the sale of bishops’ lands, which your majesty conceives to be sacrilege, we humbly offer that, bishoprics being dissolved, their lands revert to the crown, which is their foundation and patron, and heretofore held it no sacrilege to dispose of bishops’ lands to its own or other uses by act of parliament, which was an ordinary practice in your majesty’s predecessors, kings and queens of this nation. Besides, in all ages, even under the ceremonial law, imminent and urgent necessity has dispensed with the alienation of consecrated things‡.

“Your majesty is pleased to say, ‘You cannot communicate in a public form of divine service, where it is uncertain what the minister will offer to God.’ But we beseech your majesty to be informed, that the Directory sets down the matter of the prayer which the minister is to use; words and expressions for enlargement being left to his discretion. But give us leave to add, that

\* For the king’s answer, see Dr. Grey’s Examination, p. 342, &c.—Ed.

† Rushworth, p. 1335. Whitelocke, p. 351.

‡ Dr. Grey, p. 345, has given his majesty’s reply.—Ed.

this ought to be no objection with your majesty, for then one must not hear any prayer before sermon, for every minister has a several form, which he varies according to occasion.

"Upon the whole therefore we humbly hope, that your majesty, after a most serious consideration, will discern the just cause which the two houses have for remaining unsatisfied with your majesty's concessions, with relation to the church, for they are apprehensive, that after the expiration of the three years in which episcopal government is to be suspended, a bishop so qualified as your majesty expresses will rise again; for if you should not in the mean time agree with your parliament upon any other form of government, which depends wholly upon your majesty's pleasure, no other government can be set up; and then this episcopacy will return with so great power, that the bishop may choose whether any minister at all shall be made in the church of England, and those that shall must be at his devotion, he having the negative voice in ordination, which we humbly conceive is no where declared in Scripture, to be the prerogative of an apostolical bishop.

"We humbly say farther, that the charging bishops' lands with leases for ninety-nine years is not sufficient, because there is a rent reserved to the bishop, and the property will continue as before; so that it cannot be expected that the Presbyterian government should be complied with, and exercised with profit or comfort to the church, as long as a door is left open for the return of a superior power upon the first opportunity.

"We hope your majesty will pardon our pressing in this manner; our intention is not to offer violence to your majesty's conscience, but to endeavour to inform it in a matter that appears to the two houses of so great consequence. We again humbly beseech your majesty to review our former papers; call to mind those reasons and arguments which in debate have been used upon this subject, with such others as your own wisdom shall suggest, and then be pleased to give your royal consent to the particulars above specified, that both yourself and your people may have cause to rejoice."

The committee of states in Scotland joined with the parliament-commissioners in beseeching his majesty to accede to the proposition about religion, which they understood to be the point his majesty most stuck at, and which they in honour and interest were obliged most to insist upon, and without which, they add, his throne cannot be established in righteousness\*. They also wrote to the prince of Wales, to mediate with his father. The general assembly, and the commissioners of the kirk of Scotland, sent at the same time two angry letters, for, it was said, they would speak more plainly in the name of their master, than the commissioners of estates would venture to do in their own. But

\* Rushworth, p. 1304.



his majesty was deaf to all remonstrances and persuasions, being determined, if his two houses did not think fit to recede from the rigour of their demands in these particulars, to cast himself, as he said, on his Saviour's goodness to support and defend him from all afflictions, how great soever, which might befall him, rather than upon politic considerations deprive himself of the tranquillity of his mind; and therefore, excepting his majesty's consent to license the assembly's lesser catechism with a proper preface, in all other matters in difference he resolved to abide by his former answers \*.

At the close of the treaty the king made a short speech to the commissioners, in which he reminds them how far he had condescended for the sake of peace. He desired them to put a good interpretation on his vehement expressions in some part of the debates, there being nothing in his intentions but kindness; and that as they had used a great deal of freedom, and shewed great abilities in their debates, which had taken him off from some of his opinions, that they would use the same freedom with his two houses, to press them to an abatement of those things in which his conscience was not yet satisfied, which more time might do, his opinions not being like the laws of the Medes and Persians, unalterable or infallible; adding his very hearty thanks for the pains they had taken to satisfy him, professing that he wanted eloquence to commend their abilities †. He desired them candidly to represent all the transactions of the treaty to his two houses, that they might see nothing of his own interest, how near or dear soever (but that wherein his conscience is not satisfied), can hinder, on his part, a happy conclusion of the treaty.

The king's concessions were certainly a sufficient foundation for peace with the Presbyterians, if they could have been relied upon, and were so voted by the parliament when it was too late. His majesty had given up the main pillars of the hierarchy, by consenting to abolish archbishops, deans, and chapters, and that a bishop should not act without his presbyters; which was archbishop Usher's scheme, and all that the Puritans at first contended for; but the Scots and the English Presbyterians, grown lofty in power, and being less apprehensive of danger from the army than they ought, concluded they could not fail of their whole establishment in a few weeks, though there was not the least provision for liberty of conscience for dissenters, which they might have been sensible would occasion high discontents in the army. The commissioners were disposed to an accommodation, and took all opportunities to assure his majesty, that if he would but yield for a time, things should be made easy to him afterward. But the truth is, as the king would not trust the parliament, so neither would they the king, because they observed, (1.) His dilatoriness in the treaty, as if he waited for some advantageous turn of affairs

\* Clarendon, p. 224. Rushworth, p. 1326. 1334.

† Vol. Pam. No. 83.

to revoke his concessions. (2.) His resolute disputing every inch of ground without yielding a single proposition, or none of any considerable moment. (3.) His majesty's maxim, that what was yielded out of necessity was not binding when the restraint was taken off. (4.) They suspected his sincerity, because the duke of Ormond was at this very time treating with the Irish rebels by his majesty's commission, which he would not recall\*. (5.) They remembered his majesty's artful manner of interpreting away his concessions. (6.) They gave out that he was not his own master, but that his conscience was under the direction of his divines, who would put him upon all extremes for their support. (7.) They were incensed at the murders and depredations of the cavalier-soldiers, even after they were beaten out of the field, and were afraid of their recovering the management of public affairs. And lastly, They were as firmly persuaded of the divine institution of presbytery, and the obligation of the covenant, as the king and his divines were of the *jus divinum* of episcopacy.

\* The preceding assertions of Mr. Neal much displease Dr. Grey; he contradicts them, and endeavours to confront them with facts. He challenges Mr. Neal to produce one single well-attested fact to support his reflection on the king's sincerity. The appeal for the truth of the charge may be made to the reader, who has accompanied Charles through his reign, and observed his conduct on various occasions. The appeal may be made to the facts, that have been collected in Dr. Harris's *Historical and Critical Account of Charles I.* p. 72—83, and in *An Essay towards a True Idea of the Character of King Charles I.* p. 93—102. We may also refer to what has before been advanced on this point. It suffices to add here the authority of Ludlow only; who says, "that the duplicity of the king's dealings with the parliament manifestly appeared in his own papers, taken at the battle of Naseby and elsewhere." Ludlow's *Memoirs*, 4to. 1771, p. 114.—Dr. Grey asserts against Mr. Neal, that "from the MS. treaty it is manifest, that there was not the least delay on the king's part." But he forgets the duration of the treaty, which was to continue forty days only; and, commencing on the 18th of September, did not close till towards the end of November: and would not have ended then, if the army had not seized his majesty. For the answers of the king were voted "to be a ground only for the house to proceed on to settle the peace of the kingdom." Whitelocke's *Memoirs*, p. 353.—But the length of the treaty could arise only from the king's not at first yielding to the propositions made by the commissioners. Mr. Neal's next assertion, that the king "disputed every inch of ground" is implied in the duration of the treaty, and it is proved by the quotation, which Mr. Neal, a little farther on, makes from Whitelocke. But Dr. Grey attempts to disprove it, by bringing forward three concessions made in one day, the 21st of October, by the king. The reader will determine, whether an exception drawn from the transactions of one day can disprove an assertion which applies to a treaty depending more than seventy days: and those concessions, he will consider, were not yielded till the forty days originally appointed for the continuance of the treaty, were drawing to an end. In opposition to our author's fourth reason, Dr. Grey produces from Williams's MS. collections, a letter of the king, 25th of November, to the commissioners, in which he informs them (sending at the same time the letter itself for their perusal) that he had written to the marquis of Ormond, "acquainting him with such informations as he had received from the two houses concerning his proceedings in that kingdom, and requiring him to desist from any farther prosecution of the same. And in case he shall refuse, his majesty will then make such public declaration against his powers and proceedings as is desired."—Notwithstanding this, Mr. Neal spoke on authority. For on the 21st of November, the house received letters from the Isle of Wight, "that the king refused to pass any thing against the marquis of Ormond, until the treaty be wholly ended." Whitelocke's *Mem.* p. 350. See also Lord Clarendon, vol. 3. p. 222.—ED.



Yet under all these propossessions, lord Clarendon \* observes some of the commissioners found means to advertise the king in private, "that they were of his majesty's judgment about church-government, which they hoped might be preserved, but not by the method his majesty pursued; that all the reasonable hope of preserving the crown was in dividing the parliament and the army, which could be done no other way than by giving satisfaction with reference to the church. This might probably unite the parliament and the city of London, and enable them to bring his majesty to London with honour, where he might have an opportunity of gaining more abatements than he could ever expect by refusing to sign the preliminaries. Many advertisements came from his majesty's friends in London, and other places, that it was high time the treaty was at an end, before the army drew nearer London, which it would shortly do, as soon as those in the north had finished their works." Sir J. Browning entreated his majesty, in his closet, to make all his concessions in one declaration, at one instant, and in one day. The parliament-commissioners were no less importunate with the king, but he was inflexible, and usually out of humour. Remarkable are the words of Mr. Whitelocke, speaking of the above-mentioned concessions: "More than this could not be obtained, though most earnestly begged of his majesty by some of the commissioners (great persons) with tears, and upon their knees, particularly as to the proposition concerning religion, wherein church-government, public worship, and chiefly the revenues of the church, swayed more with the king's chaplains than about him; and they more with his majesty (continually whispering matters of conscience to him) than the parliament, and all their commissioners, could prevail with him for an agreement, though possibly his own judgment (which was above all theirs) might not be so fully convinced by his eager divines about him †." But these had possession of his majesty's conscience, and directed his answers ‡: and though they abhorred the thoughts of deposing the king, or putting him to death, it ought to be considered, whether their stiff and imprudent behaviour did not manifestly contribute to that catastrophe.

His majesty being thus entangled, was pleased, before the breaking up of the treaty, to send for archbishop Usher, and asked him this question, "Whether he found in all antiquity, that presbyters alone ordained any?" To which the archbishop replied frankly, that "he could shew his majesty more than that,

\* Book 11. p. 217.

† Whitelocke's Memoirs, p. 325.

‡ Dr. Grey is displeased with this representation, and impeaches the truth of it. He says, that when Mr. Vines took the freedom to observe, "that possibly his majesty's scruples were not so much his own as other men's," the king a little warmly replied; "that it was a mistake; for his scruples were really his own, and contained in his first paper." The doctor did not reflect, that few men are willing to have it supposed, and more unwilling to own, that they are led. But however this was, Mr. Neal is supported by the authority of Whitelocke.—Ed.

even that presbyters alone had successively ordained bishops," and instanced in St. Jerome's words, in his *Epist. ad Evagrium*, where he says, the presbyters of Alexandria chose and made their own bishops from the days of Mark the apostle till Heraclius and Dionysius \*. At the same time the archbishop offered his own scheme for the reduction of episcopacy to the form of presbytery, which his majesty had formerly rejected, but was now at length willing to accept, as the archbishop himself told Mr. Baxter; but the Scots and English Presbyterians were grown so stubborn that they would not acquiesce.

Though the commissioners had no power to recede from their instructions, the treaty was prolonged from time to time, in hopes that something or other might gain upon the king; but his majesty was frequently out of temper, and treated the commissioners with no degree of confidence. The forty days to which the treaty was limited being ended October 28, it was enlarged for fourteen days, and then for seven, and so on to the 28th of November, for which, says lord Clarendon †, his majesty was nothing glad; nor did his friends in the house desire the prolongation, it being moved by those that wished the treaty might have no good effect, to give the army time to finish their summer's work, and return to London. On the last day of the treaty, when the commissioners pressed his majesty to consider, that there was not one whole day to determine the fate of the kingdom, and that nothing could save his majesty from the growing power of the army, but giving his two houses satisfaction in the particular of the church, "then (says lord Clarendon ‡) his majesty's own council, and the divines, besought him to consider the safety of his person, even for the church's sake, which had no prospect of being preserved but by his life, that the unavoidable necessity that lay upon him obliged him to do any thing that was not sin." And why did they not do this sooner? However, it seems they could only prevail for a suspension of the episcopal power in point of ordination and jurisdiction, till he and the two houses should agree what government should be established for the future. Which was the substance of all his majesty intended by his concessions. After supper the commissioners took their leave, and having kissed his majesty's hand, began their journey next morning towards London. It is intrepid language that Mr. Warwick puts into the king's mouth on this occasion: his majesty said to him one night, "I am like a captain that has defended a place well, and his superiors not being able to relieve him he had leave to surrender it; but though they cannot relieve me in the time, let them relieve me when they can, else (says he) I will hold it out till I make some stone in this building my tombstone; and so I will do by the church of England."

Lord Clarendon is of opinion, "that the major part of both

\* Baxter's Life, p. 206.

† Vol. 3. p. 322.

‡ Book 11. or vol. 3. p. 227.



houses, as well as the commissioners, were at this time so far from desiring the execution of all their concessions, that if they had been able to have resisted the wild fury of the army, they would themselves have been suitors to have declined the greatest part of them." And were not the king's counsellors and divines sensible of this? Why then did they trifle away a month in fruitless debates, when it was evident to all men that the king's condition became more desperate every day?

Thus ended the famous treaty at Newport, which like all the former proved unsuccessful, chiefly from an incurable jealousy between the contending parties, which how reasonable it was on either side must be left with the reader.

The noble historian observes\*, that the king sent the prince of Wales a journal of the proceedings of the treaty, and an exact copy of all the papers that had passed to the 29th of November, together with a letter of six sheets of paper written with his majesty's own hand, containing the reasons and motives of all his concessions. The conclusion of the letter, his lordship says, deserves to be preserved in letters of gold, as it gives the best character of that excellent prince; but the copy does not, in my opinion, resemble the original. Some passages of it are these:—"We have laboured long in search of peace, do not you be disheartened to tread in the same steps.—Prefer the way of peace—conquer your enemies by pardoning rather than by punishing—Never affect more greatness or prerogative than that which is really and intrinsically for the good of your subjects, not the satisfaction of favourites. You may perceive that all men intrust their treasure where it returns them interest. If princes, like the sea, receive, and repay all the fresh streams the rivers intrust them with, they will not grudge, but pride themselves to make them up an ocean—If God restore you to your right, whatever you promise keep—Don't think any thing in this world worth obtaining by false and unjust means."—These are excellent maxims of government; and if his majesty had conducted himself by them he could not have been reduced to such a low and destitute condition, as to have hardly a place in the world to hide himself in; "for (says lord Clarendon†) there was at that time no court in Christendom so honourably or generously constituted, that it would have been glad to have seen him, and they who wished him well, did not wish his escape, because they imagined imprisonment was the worst that could befall him."

I am unwilling to suspect the genuineness of this letter, though there were so many forgeries obtruded upon the world about this time to advance his majesty's piety and virtue, that one can hardly feel the ground he treads on. If such a letter was sent to the prince, it is very strange he should never see it; or that his lordship, who lived in the prince's family, and extracted his account

\* Book 11. or vol. 3. p. 229.

† Vol. 3. p. 231.

of the treaty of Newport from these papers, as he declares, should never shew it his master; and yet these are the words of bishop Burnet, in the History of his Life and Times: "The duke of York suffered me to talk very freely to him about religion, and he told me among other things, that the letter to the prince of Wales was never brought to him."

The army had been six months in the field this summer engaged against the cavaliers and Scots, who being now reduced and subdued, they began to express a high dissatisfaction with the present treaty, because no provision had been made for their darling point, liberty of conscience. Here they had just reason of complaint, but ought not to have relieved themselves by the methods and at the expense they did. They were thoroughly incensed against the king and his cavaliers on one hand, and the high Presbyterians on the other. It appeared to them, that the king's sentiments in religion and politics were not changed; that he would always be raising new commotions till things returned to their former channel; and in the present treaty he had yielded nothing but through constraint; and that when he was restored to his throne, after all the blood that had been shed, they should neither be safe in their lives or fortunes. On the other hand, if Presbyterian uniformity should take place by virtue of the present treaty, their condition would be little mended; for, said they, if the king himself cannot obtain liberty to have the Common Prayer read privately in his own family, what must the Independents and sectaries expect? What have we been contending for, if after all the hazards we have run, presbytery is to be exalted, and we are to be banished our country or driven into corners?

While the resentments of the army were thus inflamed, their officers, who were high enthusiasts, though men of unblemished morals\*, observed several days of fasting and prayer at their headquarters at St. Albans, till at length, in a kind of despair, and under the influence of a religious frenzy, they entered upon the most desperate measures, resolving to assume the sovereign power into their own hands, to bring the king to justice; to set aside the covenant; and change the government into a commonwealth. To accomplish these monstrous resolutions, which were founded, as they alleged, upon self-preservation, though prosecuted by measures subversive not only of the rights of parliament, but of the fundamental laws of society, the officers agreed upon a remonstrance, which was presented to the parliament by six of their council, November 20, eight days before the expiration of the

\* The character of virtuous morals, bishop Warburton considers as inconsistent with their being, as Mr. Neal says, "high enthusiasts; when (his lordship adds) they all acted, as almost all enthusiasts do, on this maxim, that the end sanctifies the means, and that the elect, of which number they reckoned themselves chief, are above ordinances." Mr. Neal, I presume, is to be understood as speaking of their personal virtue, with regard to sensual indulgences, in opposition to drunkenness and debauchery.—Ed.



treaty with the king, together with a letter from general Fairfax to the house, desiring it might have a present reading.

The remonstrance sets forth the miscarriages of the king's government \*; and his double and dilatory proceedings in treaties, particularly in that now on foot; and then desires the house to return to their votes of non-addresses; to lay aside that bargaining proposition of compounding with delinquents, and bring them to punishment; and among these offenders, they propose, "(1.) That the king be brought to justice, as the capital cause of all. (2.) That a day be set for the prince of Wales and the duke of York to surrender themselves, or be declared incapable of the government; and that for the future, no king be admitted but by the free election of the people†."

The commons upon reading this remonstrance were struck with surprise, and being in the utmost consternation deferred the debate for ten days, i. e. to the end of the treaty. But the officers, being apprehensive of what might happen in that time, sent colonel Ewer to the Isle of Wight with a party of horse to secure the person of the king, and ordered colonel Hammond to quit the island, and attend the council of officers at their head-quarters at Windsor; the king was secured the very day after the expiration of the treaty, and next morning [November 30] conveyed by a party of horse to Hurst-castle, where he continued till he was conducted by colonel Harrison to Windsor, in order to his trial. The same day the officers sent a declaration to the house to enforce their late remonstrance, complaining that they were wholly neglected, and desiring the majority of the house to exclude from their councils such as would obstruct justice, or else withdraw from them‡. This occasioned warm debates among the members, and a motion that the principal officers who had a share in the remonstrance might be impeached of high treason§. Upon which the army marched directly to London, with general Fairfax at their head, who wrote to the lord-mayor and common-council, that he was marching to Westminster in pursuance of the late remonstrance, and desired 40,000*l.* of the city in part of their arrears. December 2, he quartered his troops about Whitehall, the Mews, Covent-garden, and St. James's, assuring the citizens, that they should disturb no man in his property.

Though the houses were now environed with an armed force,

\* Lieutenant-general Ludlow apprehended that the dispute between the king's party and the parliament turned upon this simple question, "Whether the king should govern as a god by his will, and the nation be governed by force like beasts: or whether the people should be governed by laws made by themselves, and live under a government derived from their own consent?" Ludlow's *Memoirs*, 4to. 1771. p. 114. On this point rests the difference between free and despotic governments, and in the degree in which a government deviates from the former, it approximates to the latter state.—Ed.

† Clarendon, vol. 3. p. 236. Rapin, vol. 2. p. 564, folio.

‡ Rushworth, p. 1341. Rapin, vol. 2. p. 565, folio.

§ Clarendon, vol. 3. p. 237.

they had the courage to vote, that the seizing the person of the king, and carrying him prisoner to Hurst-castle, was without their advice and consent; and next day, after having sat all night [December 5], it was carried without a division, that the king's concessions to the parliament's propositions were a sufficient ground for the houses to proceed upon for settling the peace of the kingdom; two hundred and forty-four members being present. But the officers being determined to carry their point discharged the city trained-bands, and placed a regiment of horse and another of foot, the very next day, at the door of the parliament-house, and colonel Pride, having a list of the disaffected members in his hand, took about forty of them into custody, and denied entrance to about a hundred more, which determined several others to withdraw, insomuch that the house of commons was left in the possession of about one hundred and fifty or two hundred persons, most of them officers of the army, who conducted every thing according to the plan concerted in their council at St. Albans.—Oliver Cromwell was not yet come to London from his northern expedition, but wrote from Knottingsley, November 20, that the officers of his regiments were deeply sensible of the miseries of the kingdom, and had a great zeal for impartial justice to be done on offenders, with whom he concurred. December 6 he came to London, and next day had the thanks of the house thus garbled for his faithful services to the public\*. December 11, a paper called the Agreement of the People was presented to the general and council of officers, as a rule for future government. It was supposed to be drawn up by Ireton, and proposed a dissolution of the present parliament, and a new one to be chosen, consisting of three hundred members†, who were to elect a council of state from among themselves, for the management of all public affairs, under certain restrictions; one of which is, that they do not lay any restraints on the consciences of men for religious differences (as has been mentioned), but no proceedings were had upon it, nor did it ever take place.

In the mean time the house of commons (if they now deserved that name) voted his majesty's concessions at the Isle of Wight not satisfactory‡, and "that no member who had been absent when that vote was passed should sit again in the house till he had subscribed it§; that no more addresses be made to the king

\* Dugdale, p. 363.

† According to the authority, Williams's MS. Collections, on which Dr. Grey relies, it was proposed, that the representatives should be four hundred; and the ground of the motion was, that the people of England (being very unequally distributed by boroughs for election of their representatives) were indifferently proportioned.—Ed.

‡ They also reversed the vote of the 5th of December, viz. "that the king's answer was a ground on which to proceed upon for the settlement of the peace of the kingdom," as dishonourable to parliament, destructive to the peace of the kingdom, and tending to the breach of the public faith of the kingdom. Dr. Grey, p. 357.—Ed.

§ Rushworth, p. 1300.



for the future \*; that no malignant, who had assisted against the parliament in the first or second civil war, or that had abetted the late tumults, should be capable of being chosen lord-mayor or alderman of the city of London, or be capable of any place of profit or trust, or so much as of giving his vote for choosing persons into such offices, for the space of one year †. The secluded members published a protestation ‡ against all these proceedings as null and void till they were restored to their places; but the lords and commons who remained in the houses voted their protestation false, scandalous, and seditious.

The army, having vanquished all opposition, went on with irresistible violence to change the whole frame of government §; and, to make way for it, determined to impeach the king of high-treason, as having been the cause of all the blood that had been spilt in the late war ||. This unheard-of motion met with some opposition even in that packed assembly ¶; Oliver Cromwell was in doubt, and said, "If any man moved this of choice or design he should think him the greatest traitor in the world; but since Providence or necessity had cast them upon it, he should pray God to bless their councils, though he was not provided on the sudden to give them advice." Some said there was no need to bring the king to a trial; others that there was no law to try him, nor any judicatory to call him to account; but all this was overruled; and because the lords rejected the ordinance for the king's trial, lord Clarendon tells us, they shut up their doors; but Mr. Whitelocke says, they entered their house, and although several ordinances passed, the commons would not own them any longer. Thus the constitution was dissolved, and all that ensued must be considered as effected by the military power \*\*.

Though some few petitions had been procured from divers counties, and even from the common-council of London, that justice might be done upon the authors of our troubles and bloodshed, in an exemplary way, and without respect to persons; yet the general voice of the nation was against such violence, as appears by the petitions and protestations of all orders of people.

The prelatical clergy lay still, either because they could not assemble in a body, or because they apprehended they could do no service by appearing; but Dr. Gauden, afterward bishop of Exeter, published "A protestation against the declared purposes and proceedings of the army, and others, about trying and de-

\* Rushworth, 1365.

† Clarendon, p. 240.

‡ Bishop Warburton observes, "that these very secluded members had voted the bishops guilty of high-treason, for protesting in the same manner, when under the like force." The reader will turn back to vol. 2. p. 112—118, compare the two cases, and decide whether they were entirely similar. Not but it is too common for men not to discern the nature of oppression till they come to feel it; and to condemn in others what they allow in themselves.—Ed.

§ Rushworth, p. 1363.

|| Rapin, vol. 2. p. 567.

¶ Dugdale, p. 366.

\*\* Memor. p. 361.

stroying our sovereign lord the king," dated January 5, and sent it to a colonel to be presented to lord Fairfax at the council of war. Dr. Hammond sent an humble address to the general and council of war, to prevent the horrid design of putting the king to death, dated January 15. Both these papers insisted on the divine right of kingly government, and that to call the king before the tribunal of the people was contrary to the laws of the land. The famous Mr. Prynne, one of the secluded members, published "A brief memento to the present unparliamentary junto, touching their present intentions and proceedings to depose and execute Charles Stuart, their lawful king of England," dated from the King's-head in the Strand, January 1, 1648.

The officers of the army attempted by their creatures to gain over the London ministers to their measures, or at least to persuade them to a neutrality. Hugh Peters, one of their chaplains, was sent to the remains of the assembly of divines at Westminster, for this purpose, but they declared unanimously for the release of the king. He then invited several of the London ministers, as, Mr. Marshal, Calamy, Whitaker, Sedgwick, Ash, &c. to a conference with some officers of the army, upon the subject of the coercive power of the magistrate in matters of religion, which was foreign to the present purpose; but instead of meeting them, these divines assembled with their brethren at Sion-college, and published a paper entitled, "A serious and faithful representation of the judgment of the ministers of the gospel within the province of London, whose names are subscribed, contained in a letter to the general, and his council of war, delivered to his excellency by some of the subscribers," January 18, 1648.

In this address, after assigning reasons why they would not consult with the officers upon matters of religion, they complain of their imprisoning the members of parliament: "We remember (say they \*) that when the king with a multitude of armed men demanded but a small number of the members of parliament, it was deemed an unparalleled breach of the privilege of parliament, and was one reason that an army was raised by their authority, and for their preservation; but that this very army should so far exceed that act, which was then esteemed without parallel, is what we could not believe, had not our eyes been witnesses of it!"

"And though both houses of parliament saw reason to take up arms in their own defence, and in defence of the Protestant religion, and the fundamental laws of their country, yet this cannot be pleaded in justification of your usurping an authority over king and parliament, who are but so many private persons and no part of the legislature.

"Moreover, though the parliament took up arms in defence of the laws, it was never their intention to do violence to the

\* Vol. Pamph. No. 52.



person of the king, or divest him of his royal authority, much less to overthrow the whole constitution.

"We therefore think ourselves bound by our protestation, and by our solemn league and covenant, to appear for our excellent constitution against arbitrary and tyrannical power in the king, on the one hand, and against the illegal proceedings of private persons, tending to subvert the constitution and introduce anarchy and confusion, on the other.

"Instead therefore of consulting with you, we earnestly entreat you, as the ambassadors of Christ, that you would consider of the evil of your present ways, and turn from them. You cannot but know, that the word of God commands obedience to magistrates, and consonant to this Scripture has been the judgment of Protestant divines at home and abroad, with whom we concur; disclaiming, detesting, and abhorring, the practices of Jesuits, concerning the opposing of lawful magistrates by any private persons, and the murdering of kings by any, though under the most specious and colourable, pretences. Examine your consciences, if any number of persons of different principles from yourselves had invaded the rights of parliament, imprisoned the king, and carried him about from place to place, and attempted the dissolution of the whole government, whether you would not have charged them with the highest crimes.

"We desire you not to infer the justice of your proceedings from the success, but to distinguish between God's permission and approbation, and that God's suffering men to prosper in their evil courses is one of the severest judgments; the providence of God therefore, which is so often pleaded in justification of your actions, is no safe rule to walk by, in such actions which the word of God condemns.

"Nor is it safe to be guided by the impulses of the spirit, when they are contrary to the written word of God; we are to try the spirits, and to have recourse to the law and the testimony; if they speak not according to them, there is no light in them.

"If you plead necessity for doing that which yourselves confess to be irregular, we answer, no necessity can oblige men to sin; besides, it is apparent, you were under no necessity, the parliament (till forced by you) being full and free; besides, you have engaged by oath to preserve his majesty's person, and the privileges of parliament, and no necessity can justify perjury, or dispense with lawful oaths.

"We therefore beseech you to recede from this your evil way, and learn John Baptist's lesson to soldiers, Do violence to no man, neither accuse any man falsely, and be content with your wages. But if you persist in this way, be sure your sin will find you out. If our exhortation prevail not, we have discharged our duty, and we hope delivered our own souls. If it be our portion to suffer, as we are told, we trust we shall suffer as

Christians ; but we hope better things of you, and subscribe ourselves your servants in the Lord :

James Nalton, pastor, Foster-lane  
Thomas Cawton, St. Bartholomew-Exchange

John Fuller, Bishopsgate  
Francis Roberts, St. Austin  
William Jenkin, Christ-church  
Elidad Blackwell, Alhallows-Undershaft  
William Harrison, Grace-church  
John Sheffield, St. Swithin's  
Matthew Haviland, Trinity  
George Smalwood, Poultry  
William Taylor, Coleman-street  
Christopher Love, Aldersgate  
Robert Mercer, St. Bride's  
Thomas Gataker, Rotherhithe  
George Walker, St. John Evangelist  
Arthur Jackson, M. Wood-street  
Charles Offspring, St. Antholin's  
Henry Rodborough, Eastcheap  
Nicholas Profet, Foster-lane  
Thomas Case, Milk-street  
Stanly Gower, Ludgate  
Andrew Janeway, Alhallows on the Wall  
Samuel Clark, St. Bene't Fink  
Thomas Clenden, Alhallows-Barking

John Wale, St. M. Cornhill  
James Crawford, St. Christopher  
Ralph Robinson, pastor, St. Mary Woolnoth  
William Blackmore, St. Peter, Cornhill  
Francis Peck, St. Nicholas Aconis  
Stephen Watkins, St. Saviour, Southwark  
William Wickers, St. Andrew Hubbard  
John Wallis, Ironmonger-lane  
Thomas Manton, Stoke-Newington  
Thomas Gouge, St. Sepulchre's  
Thomas Watson, Walbrook  
Nathaniel Staniforth, St. Mary-Bothaw  
John Halk, Alhallows on the Wall  
John Glascock, St. Andrew-Undershaft  
Thos. Whately, St. Mary-Woolchurch  
Jacob Tice, Billingsgate  
Jonathan Lloyd, Garlickhithe  
John Morton, Newington-Butts  
Joshua Kirby  
Arthur Barham, St. Helen's  
Benjamin Needler, St. Margaret-Moses  
John Wells, St. Olave-Jury  
Robert Matthew, St. Andrew-Wardrobe."

Notwithstanding this seasonable and explicit remonstrance, the episcopal divines, in order to throw off the guilt of the king's misfortunes from themselves, who by their obstinate behaviour had in reality reduced him to the last extremity, resolved to fix it upon the Presbyterians ; as their successors have done even till this day. It was therefore given out among the people, that the Presbyterians had brought the king to the block, and that the Independents would cut off his head. To wipe away this calumny the Presbyterian clergy published another paper, entitled, "A vindication of the London ministers from the unjust aspersions cast upon their former actings for the parliament, as if they had promoted the bringing of the king to capital punishment." It was addressed to the people, and after they had repeatedly declared their dislike of the proceedings at Westminster against the king, they conclude in words to this purpose : "Therefore according to our covenant we do, in the name of the great God, warn and exhort all that belong to our respective charges, or to whom we have administered the said covenant, to abide by their vow, and not suffer themselves to be persuaded to subscribe the Agreement of the People, which is subversive of the present constitution, and makes way for the toleration of all heresies and blasphemies, and will effectually divide the two kingdoms of England and Scotland. We earnestly beseech them to mourn for the sins of the parliament and city, and for the miscarriages of the king himself in his government, which have cast him down from his excellency into a horrid pit of misery, almost be-



yond example; and to pray, that God would give him effectual repentance, and sanctify the bitter cup of divine displeasure which Divine Providence has put into his hands; and that God would restrain the violence of men, that they may not dare to draw upon themselves and the kingdom the blood of their sovereign."

This was signed by fifty-seven ministers, among whom were the following nineteen, whose names were not to the above-mentioned representation:

Cornelius Burges, D.D. at St. Paul's  
William Gouge, D.D. Blackfriars  
Edmund Stanton, D.D. Kingston  
Thomas Temple, D.D. Battersea  
Edmund Calamy, B.D. Aldermanbury  
Jeremiah Whitaker, St. Mary-Magdalen,  
Bermondsey  
Daniel Cawdrey, St. Martin in the Fields  
William Spurstow, D.D. Hackney  
Lazarus Seaman, Bread-street  
Simeon Ash, Bassishaw

Thomas Thoroughgood, of Crayford  
Edward Corbet, Croydon  
John Viner, Aldgate  
John Crosse, Friday-street  
Peter Witham, St. Alban, Wood-street  
John Stileman, Rotherhithe  
Josias Ball, North-Grey  
Jonathan Devereux, late of St Andrew,  
Holborn  
Paul Russel, Hackney.

It was not possible for the few Independent ministers in London to join the Presbyterians in these addresses, (1.) Because they were not possessed of parochial livings, nor members of the provincial assembly of London, nor admitted to their weekly consultations at Sion-college, but were a sort of dissenters from the public establishment. (2.) Because they did not believe themselves so far bound by the covenant as to oppose a toleration, nor to support any constitution that was not consistent with Christian liberty, which the Presbyterians would not admit. None of their ministers, that I know of, declared their approbation of the proceedings of the council of officers in the trial of the king, except Mr. Hugh Peters, and Mr. John Goodwin. Some of the Independent ministers in the country joined the Presbyterians in protesting against it; those of Oxford and Northampton of both denominations published their humble advice and earnest desire, presented to general Fairfax and the council of war, January 25, subscribed by nineteen or twenty names, in which they declare their utter disapprobation of all proceedings against his majesty's crown and life, as contrary to Scripture, to the laws of the land, the solemn league and covenant, and tending to destroy the constitution, and involve the nation in a war with their neighbours. They declare their dissent from the late violence upon the parliament—but with reference to religion they say, "Though our souls abhor that grand design of the devil and his agents to decry all religious and zealous professors under the names of sectaries and Independents, we willingly grant, and heartily desire, that the interest of all godly and honest men may be carefully provided for, and secured, as far as is consistent with the word of God, our covenant, and the public peace; and that men of different apprehensions in matters of religion may not be utterly incapable of all

offices of power and trust, though we cannot agree to a universal toleration." They conclude with beseeching the general to suspend all further prosecution against the king, and to endeavour a right understanding between the king, parliament, and army; but if they cannot prevail, they desire to wash their hands of the blood of their dread sovereign, and to approve themselves innocent of all that confusion and misery in which the deposing and taking away his majesty's life will involve them, their posterity, and all men professing godliness in the three kingdoms\*.

It must be confessed, the Independents were a sort of malecontents, and had reason to be dissatisfied with the treaty of Newport, because they were not only excluded the new establishment, but debarred of a toleration; and yet, as Mr. Echard and Dr. Bates the physician observe, several of them joined with their brethren in declaring against the design of putting the king to death, in their sermons from the pulpit, in conferences, monitory letters, petitions, protestations, and public remonstrances†.

The Scots kirk, by their commissioners, declared and protested against the putting the king to death, as absolutely inconsistent with their solemn league and covenant. They published a protestation, directed to the ministers of the province of London meeting at Sion-college, January 25, 1648—9, with a letter, exhorting them to courage and constancy in their opposition to the proceeding of the house of commons, and to a universal toleration.

Sundry foreign princes and states, by their ambassadors, interceded for the king; some from their respect to his person, and others from a regard to the honour that was due to crowned heads. But it was impossible to stop the impetuous wildfire of the army, who, having brought the king from Hurst-castle to Windsor, obtained a vote in the parliament (if we may so call it) that all ceremonies due to a crowned head be laid aside; and then came to the following resolutions, January 4: "First, that the people under God are the original of all just power. Secondly, that the house of commons are the supreme power of the nation. Thirdly, that whatever is declared for law by the commons in parliament is valid, though the consent of the king and the house of peers be not had thereto‡." The house of lords, which was reduced to sixteen peers, having unanimously rejected the ordinance of the commons for the king's trial, and adjourned for a fortnight, the commons resolved to act without them, and having named a committee of thirty-eight persons to receive informations, and draw up a charge against the king, they constituted a high court of justice for his trial§, consisting of one hundred and forty-five

\* Vol. Pamp. 108. † Ech. Hist. p. 654. Elench. Cot. Nar. 1<sup>re</sup>. p. 118.

‡ Rapin, vol. 2. p. 568, folio.

§ The reader may be amused by the relation of an accident which befel the king at Oxford, which appeared to affect his spirits, and may be deemed, by superstition, a prognostic of the calamities that befel him and were now thickening on him. On



persons, of whom twenty or more might proceed to business; but not above one half would act under this authority: Mr. serjeant Bradshaw was president; Mr. Cook, solicitor-general; and Mr. Steel, Mr. Dorislaus, and Mr. Aske, were to support the charge. The form of process being settled by the commissioners, the king, who had been conducted to St. James's, January 15, appeared before his judges in Westminster-hall, the first time on Saturday January 20, 1648, when being seated at the bar in a chair of crimson velvet, and covered, as were all his judges, Mr. Cook the solicitor exhibited a charge of high-treason against him; which being read, the king, instead of pleading to the charge, excepted to the jurisdiction of the court, which was overruled, the president replying, that they would not suffer their authority to be disputed, and therefore required the king to think better of it against Monday; but his majesty persisting in his refusal to plead both on Monday and Tuesday, the clerk was ordered to record the default; Wednesday the court sat in the painted chamber, and examined witnesses against the king\*; Thursday and Friday they consulted how to proceed; and on Saturday his majesty was brought the last time to the bar, when, persisting to disown the jurisdiction of the court, he desired to be heard in the painted chamber by the lords and commons, but his request was denied, and the president pronounced sentence of death against him as a traitor, fifty-nine being present, and signifying their concurrence by standing up, as had been agreed. Sundry indignities and insults were offered to the king by the soldiers, as he passed along Westminster-hall, but the far greater number of people deplored his unhappy condition. Tuesday January 30, being appointed

visiting the public library, he was shewed among other books a Virgil, nobly printed, and exquisitely bound. Lord Falkland, to divert him, would have his majesty make trial of his fortune by the *Sortes Virgilianæ*, a kind of augury in use for some ages. On the king's opening the book, the period which presented itself, was Dido's imprecation on Æneas, thus translated by Mr. Dryden:

"Yet let a race untamed and haughty foes  
His peaceful entrance with dire arms oppose;  
Oppress'd with numbers in th' unequal field,  
His men discouraged, and himself expell'd,  
Let him for succour sue from place to place,  
Torn from his subjects, and his son's embrace.  
First let him see his friends in battle slain,  
And their untimely fate lament in vain:  
And when at length the cruel war shall cease,  
On hard conditions may he buy his peace.  
Nor let him then enjoy supreme command,  
But fall untimely by some hostile hand,  
And lie unburied on the barren land."

Welwood's Memoirs, p. 90, 91.—Ed.

\* The evidence of Henry Goode, on this examination, proved the king's insincerity in the treaty of Newport; for he deposed, that on observing to his majesty, to whom he had access, that he had justified the parliament's taking up arms, the king replied, that though he was contented to give the parliament leave to call their own war what they pleased, yet he neither did then, nor should, decline the justice of his own cause. Rushworth in Macaulay's History, vol. 4. p. 388, note.—Ed.

for his execution, his majesty was offered the assistance of Mr. Calamy, Vines, Caryl, Dell, and Goodwin, but he refused them, and chose Dr. Juxon, bishop of London, who, according to bishop Burnet, performed his office with such a dry coldness as could not raise the king's devotion. On the fatal day he was conducted on foot by a strong guard through St. James's park, to a scaffold erected in the open street before the banqueting-house at Whitehall, where he made a short speech to the people, in which he made no acknowledgment of the mistakes of his government, but declared himself a martyr for the laws and liberties of the people; after which he laid down his head on the block, which was severed from his body at one blow \* by some bold executioner in a mask, in the forty-ninth year of his age, and twenty-fourth of his reign. His body was interred privately at Windsor, February 28, following, without ceremony, and with no other inscription on the coffin than "King Charles, 1648."

The reader will collect the character of this unfortunate prince rather from the preceding facts, than from the keen reflections of his determined enemies, or the flattering encomiums of his friends and admirers, which latter, in their anniversary sermons †, have almost equalled his sufferings with those of our blessed Saviour. It must be admitted, that king Charles I. was sober, temperate, chaste, an enemy to debauchery and lewdness, and very regular in his devotions. But these excellent qualities were balanced with some of a very different nature; his temper was distant and reserved to a fault; he was far from being generous, and when he bestowed any favour did it in a very disagreeable and uncourtly manner; his judgment in affairs of government was weak and unsteady, and generally under the direction of a favourite. In his treaties with the parliament, he was chargeable with great insincerity, making use of evasive and ambiguous terms, the explication of which he reserved for a proper place and season. He had lofty notions of the absolute power of princes, and the unlimited obedience of subjects; and though he was very scru-

\* Mr. Philip Henry was a spectator of this event, and noticed two remarkable circumstances which attended it. One was, that at the instant when the blow was given, there was such a dismal universal groan among the thousands of people that were within sight of it (as it were with one consent) as he never heard before, and desired he might never hear the like again. The other was, that immediately after the stroke was struck, there was, according to order, one troop marching from Charing-cross, towards King-street, and another from King-street towards Charing-cross, purposely to disperse and scatter the people, and to divert the dismal thoughts which they could not but be filled with, by driving them to shift every one for his own safety. P. Henry's Life, p. 16.—Ed.

† It is the remark of bishop Warburton, that "blackened characters on the one hand, and impious comparisons on the other, equally offensive to charity and religion, in the early days of this returning solemnity, turned an act of worship into a day of contention. But these (he adds) were the unruly workings of a storm just then subsided. Time, which so commonly corrupts other religious institutions, hath given a sobriety and a purity to the returning celebrations of this." Sermon on the 30th of January, 1760, to the house of lords, p. 7, 8.—Ed.



pulous about his coronation-oath in regard to the church, he seems to have paid little attention to it as it respected the laws and liberties of his subjects, which he lived in the constant violation of for fifteen years\*. He was a perfect dupe to his queen, who had too much the direction of public affairs both in church and state; no wonder therefore that he had a determined aversion to the Puritans, and leaned so much to the pomp and ceremony of the church of Rome, that though a Protestant in judgment he was for meeting the Papists half way, and for establishing one motley religion throughout Great Britain, in which both parties might unite. He told Dr. Sanderson, that if God ever restored him to his crown, he would go barefoot from the Tower of London, or Whitehall, to St. Paul's, by way of penance, for consenting to the earl of Strafford's death, and to the abolishing of episcopacy in Scotland, and desire the people to intercede with God for his pardon†. Such was his majesty's superstition! Upon the whole though king Charles I. had virtues that might have rendered him amiable as a private gentleman, his foibles were so many as entitle him to the character of a very weak and impolitic prince; far from appearing truly great in any one scene of his whole life except the last. Mr. Coke says‡, he was wilful and impatient of contradiction; his actions sudden and inconsiderate, and his councils without secrecy. He would never confess any of his irregularities in government, but justified them all to his death. If any gave him advice contrary to his inclination, he would never be friends with him again. He was unaffable and difficult of address, requiring such strained submissions as were not usual to his predecessors. The sincerity of his promises and declarations was suspected by his friends as well as enemies§, so that he fell a sacrifice to his arbitrary principles, the best friends of the constitution being afraid to trust him. Bishop Burnet || adds, "that he affected in his behaviour the solemn gravity of the court of Spain, which was sullen even to moroseness; this led him to a grave reserved deportment, in which he forgot the civilities and affabilities which the nation naturally loved; nor did he, in his outward deportment, take any pains to oblige any persons whatsoever. He had such an ungracious way of showing a favour, that the manner of bestowing it was almost as mortifying as the favour was obliging. He loved high and rough measures, but had neither skill to conduct them, nor height of genius to manage them. He hated all that offered prudent and moderate counsels, and even when it was necessary to follow such advices he hated those that gave them. His whole reign, both in peace and war,

\* Clarendon's Hist. p. 430. † Life of Sanderson, p. 79. ‡ Detect. p. 336.

§ Bishop Warburton grants, that "the king made his concessions with so ill a grace, that they only served to remind the public of his former breaches of faith, and to revive their diffidence in the royal word." Sermon before the house of lords, 30th of January 1760, p. 16.—ED.

|| His life, vol. 1. p. 23. 64. Edin. ed.—ED.

was a continued series of errors, so that it does not appear that he had a true judgment of things. He was out of measure set upon following his humour, but unreasonably feeble to those whom he trusted, chiefly to the queen, and (it may be added also) to the clergy. He had a high notion of the regal power, and thought that every opposition to it was rebellion. He minded little things too much, and was more concerned in drawing up a paper than in fighting a battle. He had a firm aversion to Popery, but was much inclined to a middle way between Protestants and Papists, by which he lost one without gaining the other. At his death he showed a calm and composed firmness which amazed all people, and so much the more, because it was not natural to him, and was therefore by his friends imputed to an extraordinary measure of supernatural assistance."

After his majesty's death, the episcopal clergy did all they could to canonize him for a martyr; they printed his sayings, his prayers, his meditations, and forms of devotion under his sufferings, and drew his portrait in the most devout and heavenly attitude. His works, consisting of sundry declarations, remonstrances, and other papers, have been published in a most pompous and elegant form; among which one is of very suspected authority, if not absolutely spurious, I mean his *Εἰκὼν Βασιλική*, i. e. "*Eikoon Basilikè*, or the portraiture of his sacred majesty in his solitude and sufferings," said to be written with the king's own hand; it was first printed in the year 1649, and passed through fifty editions in divers languages within twelve months\*. No book ever raised the king's reputation so high as this, which obliged the new council of state to employ the celebrated Milton to destroy its credit, which he attempted in a treatise under the title of *Εἰκὼν Κλάσσης* [*Eikono Clastese*], or an answer to a book entitled *Eikoon Basilikè*, printed by Du Garde, 1652; but the fraud was not fully detected till some years after.

The grounds and evidences of the spuriousness of this book are these, 1. That lord Clarendon, in his history of the grand rebellion, makes no mention of it †. 2. Bishop Burnet says ‡, the duke of York, afterwards king James II., told him in the year 1673, that the book called *Eikoon Basilikè* was not of his father's

\* It has gone through forty-seven impressions in England. The number of copies are said to have been forty-eight thousand five hundred. It produced, at home and abroad, the most favourable impressions for the king's piety and memory. Lord Shaftesbury supposed that it contributed, in a great measure, to his glorious and never-fading titles of saint and martyr. Dr. Grey is displeased with Mr. Neal for suspecting the authenticity of the book, and has bestowed ten pages to establish the king's right to be considered as its author. Since Dr. Grey and Mr. Neal wrote, the evidence for, and against, its spuriousness has been fully stated by Dr. Harris, in his *Critical History*, p. 106—116. Mr. Hume's remark with regard to the genuineness of that production is, that "it is not easy for an historian to fix any opinion which will be entirely to his own satisfaction." He afterward adds, "Many have not scrupled to ascribe to that book the subsequent restoration of the royal family." *History of Great Britain*, vol. 7. 8vo. 1763, p. 159, 160.—Ed.

† Vide Bayle's *Dict.* title Milton.

‡ His life, p. 51.



writing, but that Dr. Gauden wrote it; that after the Restoration, the doctor brought the duke of Somerset to the king and to the duke of York, who both affirmed, they knew it to be his [the doctor's] writing, and that it was carried down by the earl of Southampton, and shewed the king during the treaty of Newport, who read and approved it. 3. The earl of Anglesey gave it under his hand, that king Charles II. and the duke of York declared to him, in the year 1675, that they were very sure the said book was not written by the king their father, but by Dr. Gauden bishop of Exeter. 4. Dr. Gauden himself, after the Restoration, pleaded the merit of this performance in a letter to lord-chancellor Hyde, who returned for answer, that the particular he mentioned [i. e. of his being the author of that book] was communicated to him as a secret; I am sorry, says his lordship, that it was told me, for when it ceases to be a secret it will please nobody but Mr. Milton\*. 5. Dr. Walker, a clergyman of the church of England, after invoking the great God, the searcher of hearts, to witness to the truth of what he declares, says, in his treatise entitled, "A true account of the author of Eikoon Basilikè," "I know and believe the book was written by Dr. Gauden, except chap. 16 and 24 by Dr. Duppa. Dr. Gauden (says he) acquainted me with this design, and shewed me the heads of several chapters, and some of the discourses. Some time after the king's death, I asked him whether his majesty had ever seen the book? He replied, I know it certainly no more than you; but I used my best endeavours that he might, for I delivered a copy of it to the marquis of Hertford, when he went to the treaty of the Isle of Wight†." Dr. Gauden delivered the MS. to this Walker, and Walker carried it to the press; it was copied by Mr. Gifford, and both the doctor's son and his wife affirm that they believe it was written in the house where they lived.

Notwithstanding all this evidence Mr. archdeacon Echard says, the book is incontestibly the king's; and bishop Kennet adds, that those who pretend Eikoon Basilikè was a sham put upon the world, are a set of men that delight to judge and execute the royal martyr over again by murdering his name. Dr. Hollingworth, Dugdale, Wagstaff, and others, have endeavoured to invalidate the above-mentioned authorities, by shewing that Dr. Gauden was not capable of writing such a book; but surely the evidence already produced is as strong and convincing as any thing of this nature can possibly be‡.

\* Crit. Hist. p. 191.

† Ibid. p. 189. Hist. Stuarts, p. 283.

‡ "There is full as strong evidence on the other side (says bishop Warburton); all of which this honest historian conceals; evidence of the king's bed-chamber, who swear they saw the progress of it; saw the king write it; heard him speak of it as his; and transcribed parts of it for him." It seems that Mr. Neal considered the evidences of its spuriousness to be so strong, as to supersede entering into a detail of the evidences for its authenticity. The bishop, it is to be remarked, though he judges the strongest and most unexceptionable evidence is on that side which gives it to the king, yet owns that the question "is the most uncertain mat-

The king's trial and execution, in such an illegal and unheard-of manner, struck the whole Christian world with astonishment. The prince of Wales, then in Holland, encouraged the learned Salmasius to write a Latin treatise, entitled, *Defensio Regis*, or a Defence of King Charles I., dedicated to his son Charles II., which was answered by Milton, in a book entitled, *Defensio pro Populo Anglicano*; or, A Defence of the People of England, written in an elegant but severe style. This book, says Mr. Bayle, made the author's name famous over all the learned world. Another performance appeared about the same time, entitled, *Clamor Regii Sanguinis ad Cælum*; or, The Cry of the King's Blood to Heaven. It was written in Latin by Peter du Moulin, junior, and answered by Milton in the same language. But to satisfy the English reader Mr. John Goodwin published a small treatise, which he called "A Defence of the Sentence passed upon the late King by the High Court of Justice; wherein the justice and equity of the said sentence are demonstratively asserted, as well from clear texts of Scripture as principles of reason, grounds of law, authorities and precedents, as well foreign as domestic;" a very weak and inconclusive performance! for admitting our author's principles, that the original of government is from the people, and that magistrates are accountable to them for administration, they are not applicable to the present case, because the officers of the army had neither the voice of the people, nor of their representatives in a free parliament; the house of commons was purged, and the house of peers dispersed, in order to make way for this outrage upon the constitution. Our author was so sensible of this objection, that, in order to evade it, he advances this ridiculous conclusion, that "though the erecting a high court of justice by the house of commons alone be contrary to the letter, yet it being for the people's good, it is sufficient that it is agreeable to the spirit of the law \*." But who gave a few officers of the army authority to judge what was for the people's good, or to act according to the spirit of a law in contradiction to the letter? This would expose every man's life and estate to the will and pleasure of an arbitrary tyrant, and introduce a rule of government, so justly complained of in the former part of this reign, in opposition to a rule of law. The president Bradshaw, in his speech at pronouncing sentence, goes upon the same general topics, that the people are the origin of civil power, which they transfer to their magistrates under what limitations they think fit, and that the king himself is accountable to them for the abuse of it; but if this were true, it is not to the present purpose, because, as has been observed, the king's judges had not the consent of the people of England in their diffusive or collective capacity. His majesty's own reasons against this high court of justice, which he

ter he ever took the pains to examine." No such great blame, then, can lie on Mr. Neal for taking the other side of the question.—Ed.

\* P. 20.



would have given in court, if he might have been heard, are, in my opinion, a sufficient answer to all that can be said on the other side.

—"Admitting, but not granting (says his majesty) that the people of England's commission could grant your pretended power, I see nothing you can shew for that, for certainly you never asked the question of the tenth man of the kingdom; and in this way you manifestly wrong even the poorest ploughman, if you demand not his free consent: nor can you pretend any colour for this your pretended commission without consent at least of the major part of the people of England, of whatsoever quality or condition, which I am sure you never went about to seek, so far are you from having it.—Nor must I forget the privileges of both houses of parliament, which this day's proceedings do not only violate, but likewise occasion the greatest breach of the public faith that I believe ever was heard of, with which I am far from charging the two houses.—Then, for any thing I can see, the higher house is totally excluded; and for the house of commons, it is too well known, that the major part of them are detained, or deterred from sitting.—And after all, how the house of commons can erect a court of judicature, which was never one itself, as is well known to all lawyers, I leave to God and the world to judge—."

King Charles therefore died by the hands of violence, or by the military sword, assumed and managed in an arbitrary manner by a few desperate officers of the army and their dependents\*, of sundry denominations as to religion, without any regard to the ancient constitution of their country, or the fundamental laws of society; for by the former, the king cannot be tried for his life before any inferior court of justice; nor could they feign any pretence for the latter, without the express consent of the majority of the nation, in their personal or representative capacities, which these gentlemen never pretended. But since all parties have endeavoured to throw off the odium of this fatal event from themselves, it may not be improper to set before the reader the sentiments of our best historians upon this head, leaving every one to draw what conclusion from them he pleases.

Not to insist upon the king's servile fondness for his queen and her friends; his resolute stiffness for his old principles of government in church and state; his untimely and ungracious manner of yielding to what he could not avoid; his distant and reserved behaviour towards those who only were capable of serving him; and his manifest doubling between the parliament and army, which some very reasonably apprehend were the principal causes of all his misfortunes, Mr. Whitelocke and Mr. Coke lay a good

\* They have been described as "a third party, rising out of the ferment of the self-denying ordinance; a swarm of armed enthusiasts, who outwitted the patriots, outprayed the Puritans, and outfought the cavaliers." Bishop Warburton's sermon before the house of lords, 30th of January 1760, p. 22.—*Ev.*

deal of blame upon his majesty's chaplains: the latter reproaches them with insisting peremptorily to the last upon the divine right of episcopacy; and the former for continual whispering in the king's ears the importance of preserving the revenues of the church, to the hazard of his person and kingdom; and surely if these warm and eager divines could have disentangled his majesty's conscience (which Mr. Whitelocke apprehends was not fully satisfied), as soon as the cavaliers had been dispersed, and the Scots beaten out of the field, the mischief that followed might have been prevented. I will not take upon me to say how far their influence might reach, though his majesty's profound deference to their judgment was notorious; but the conviction does not seem impracticable, when it is remembered the king was of opinion, that what he yielded through the necessity of his affairs was not binding when he should be at liberty; but neither his majesty nor his clergy foresaw the issue\*.

Most of the writers on the king's side, as well as the preachers since the Restoration, in their anniversary sermons, have with great injustice charged the Presbyterians with bringing the king to the block, contrary to the strongest and most convincing evidence; for though their stiffness for the divine right of presbytery, and their antipathy to liberty of conscience, is not to be vindicated, yet I apprehend enough has been said in the foregoing pages, to clear them from this unrighteous charge†; if the zeal of the Presbyterians for their discipline and covenant were culpable, the behaviour of the king and his divines in the opposition was no less so, considering he was a prisoner, and in the hands of a victorious parliament; neither side were sensible of the danger till it was too late, but when the storm was ready to burst on their heads I do not see what men could do more in their circumstances to divert it, than the Presbyterians did; they preached and prayed, and protested against it in the most public manner; many of them resigned their preferments because they would not take the engagement to the new commonwealth; they groaned under all the preceding changes of government, and had a principal share in the restoration of the royal family in the year 1660, without which these anniversary declaimers would never have had an opportunity of pelting them with their ecclesiastical artillery, in the unwarrantable manner they have done.

The forementioned writers, together with Mr. Rapin, in his

\* Whitelocke's Mem. p. 335. Coke's Detect. p. 331, 332.

† Bishop Warburton, with Mr. Neal, acquits the Presbyterians from being parties in the execution of the king: but then he will not allow them merit or virtue, in this instance, but would ascribe it to their not uniting with the Independents in other matters, and the opposition which that party made to their two darling points, the divine right of presbytery, and the use of force in religious matters. The reader will judge, how far this is a candid construction of the conduct and motives of the Presbyterians; and, at the same time, he will lament, that there should have been any ground for the severe reflection which the bishop subjoins: "Those who were capable of punishing Arians with death, were capable of doing any wickedness for the cause of God."—Ed.



late History of England, load the Independents, as a religious sect, with all the guilt of cutting off the king's head; and with being in a plot, from the commencement of the civil war, to destroy equally king, monarchy, episcopacy, and presbyterianism; but this last-named writer, not being acquainted with their religious principles, constantly confounds the Independents with the army, which was compounded of a number of sectaries, the majority of whom were not of that denomination. There were no doubt among the Independents, as well as among other parties, men of republican principles, who had a large share in the reproach of this day; but besides what has been observed, of some of their number joining with the Presbyterians in protesting against the king's execution, the divines of this persuasion had no difference with the Presbyterians, or moderate Episcopalians, about forms of civil government; the leading officers would have contributed their part towards restoring his majesty to his throne, when he was with the army, upon more equal terms than some other of his adversaries, had they not discovered his designs to sacrifice them when it should be in his power. In their last propositions they consented to the restoring the king, upon the foot of a toleration for themselves and the episcopal party; leaving the Presbyterians in possession of the establishment. Both Whitelocke\* and Welwood† observe, that at the very time of the king's trial the prevailing party were not determined what form of government to set up, "many having thoughts of making the duke of Gloucester king;" which his majesty being informed of, forbade the duke, in his last interview, to accept the crown while his elder brothers were living. And though Mr. Rapin says, that after the force put upon the members of parliament on the 6th and 7th of December, the house consisted of none but independent members, it is certain to a demonstration, that there were then remaining in the house men of all parties, Episcopalians, Presbyterians, Independents, Anabaptists, and others: so little foundation is there for this writer's conclusion, that the Independents, and these only, put the king to death.

Dr. Lewis du Moulin, history professor in Oxford, who lived through these times, says, that "no party of men, as a religious body, were the actors of this tragedy, but that it was the contrivance of an army, which, like that of king David's in the wilderness, was a medley or collection of all parties that were discontented; some courtiers, some Presbyterians, some Episcopalians; few of any sect, but most of none, or else of the religion of Thomas Hobbes and Dr. Scarborough; not to mention the Papists, who had the greatest hand in it of all‡." The same

\* Memor. p. 358.

† Ibid. p. 90. vol. 2. p. 367, folio.

‡ "There is doubtless (says bishop Warburton) a great deal of truth in all this. No party of men, as a religious body, farther than as they were united by one common enthusiasm, were the actors in this tragedy. (See what Burnet says.) But who prepared the entertainment, and was at the expense of the exhibition, is another question."—Ed.

learned professor, in his book entitled, "The conformity of the Independent discipline with that of the primitive Christians," published 1680, had a chapter entitled, "An answer to those who accuse the Independents for having an immediate hand in the death of king Charles I." But the times were such that the author was advised not to publish it \*.

Mr. Baxter says, "Many that minded no side in religion thought it was no policy to trust a conquered king, and therefore were wholly for a parliamentary government without a king; of these (says he) some were for an aristocracy, and others for a democracy, and some thought they ought to judge the king for all the blood that had been shed; the Vanists, the Independents, and other sects, with the democratical party, being left by Cromwell to do the business under the name of the parliament of England †."

Bishop Burnet says, that "Ireton was the person that drove it on, for Cromwell was all the while in suspense about it; Ireton had the principles and temper of a Cassius, he stuck at nothing that might turn England into a commonwealth; Fairfax was much distracted in his mind, and changed purposes every day; the Presbyterians and the body of the city were much against it, and were every day fasting and praying for the king's preservation. There were not above eight thousand of the army about the town, but those were the most engaged in enthusiasm, and were kept at prayer in their way almost day and night, except when they were upon duty, so that they were wrought up to a pitch of fury which struck terror into all people ‡."

Mr. Echard and some others are of opinion, that great numbers of Papists, under hopes of liberty of conscience, or of destroying episcopacy, joined with foreign priests and Jesuits against the king. The celebrated author of *Foxes and Firebrands* has this remarkable passage §: "Let all true Protestants, who desire sincerely to have a happy union, recollect what a blemish the emissaries of Rome have cast upon those Protestants named Presbyterian and Independent, Rome saying the Presbyterians brought Charles the First's head to the block, and the Independents cut it off; whereas it is certain, that the members and clergy of Rome, under dissenting shapes, contrived this murder. Nay, the good king himself was informed, that the Jesuits in France, at a general meeting, resolved to bring him to justice, and to take off his head by the power of their friends in the army ||." Bishop Bramhall in a letter to archbishop Usher, dated July 20, 1654, adds, "Thus much to my knowledge have I seen and heard, since my leaving your lordship, which I myself could hardly have credited, had not mine eyes seen sure evidence of the same, viz. that when the Romish orders, which were in disguise in the parliament-

\* Vind. Prot. Relig. p. 53. 59.

† Baxter's Life, p. 63.

‡ Hist. Life and Times, vol. 1. p. 63, Edin. edition.

§ Part 3. p. 188.

|| Ibid. p. 168, 169.



army, wrote to their several convents, and especially to the Sorbonists, about the lawfulness of taking away the king's life, it was returned by the Sorbonists, that it was lawful for any Roman Catholic to work a change in governments for the mother-church's advancement, and chiefly in an heretical kingdom, and, so lawful to make away with the king\*." Mr. Prynne adds, "that Mr. Henry Spotswood saw the queen's confessor on horseback among the crowd in the habit of a trooper, with his drawn sword flourishing it over his head in triumph, as others did, when the king's head was just cut off; and being asked how he could be present at so sad a spectacle, answered, there were above forty more priests and Jesuits there besides himself, and when the fatal blow was given, he flourished his sword and said, Now the greatest enemy we have in the world is dead." But this story does not seem to me very probable, nor is it easy to believe that the Papists should triumph in the death of a king, who was their friend and protector in prosperity, and whose sufferings are in a great measure chargeable upon his too great attachment to their interests†.

But the strongest and most unexceptionable testimony, is the act of attainder of the king's judges passed upon the restoration of king Charles II., the preamble to which sets forth, that the " execrable murder of his royal father was committed by a party of wretched men, desperately wicked, and hardened in their impiety, who having first plotted and contrived the ruin of this excellent monarchy, and with it of the true Protestant religion, which had long flourished under it, found it necessary, in order to carry on their pernicious and traitorous designs, to throw down all the bulwarks and fences of law, and to subvert the very being and constitution of parliament.—And for the more easy effecting their attempts on the person of the king himself, they first seduced some part of the then army into a compliance, and then kept the rest in subjection, partly for hopes of preferment, and chiefly for fear of losing their employments and arrears, till by these, and other more odious arts and devices, they had fully strengthened themselves in power and faction; which being done, they declared against all manner of treaties with the person of the king, while a treaty with him was subsisting; they remonstrated against the parliament for their proceedings; they seized upon his royal person while the commissioners were returned to London with his answers, which were voted a sufficient foundation for peace; they then secluded and imprisoned several members of the house of commons, and then there being left but a small number of their own creatures (not a tenth part of the whole), they sheltered themselves under the name and authority of a parliament, and in that name prepared an ordinance for the trial of his majesty; which being rejected by the lords, they passed alone in the name of the

\* Necess. Vind. p. 45.

† Foxes and Firebrands, part 2. p. 86.

commons of England, and pursued it with all possible force and cruelty till they murdered the king before the gates of his own palace. Thus (say they) the fanatic rage of a few miscreants, who were neither true Protestants nor good subjects, stands imputed by our adversaries to the whole nation; we therefore renounce, abominate, and protest, against it.—\*”

If this be a true state of the case, it is evident, from the highest authority in this kingdom, that the king's death was not chargeable upon any religious party, or sect of Christians; nor upon the people of England assembled in a free parliament, but upon the council of officers and agitators, who, having become desperate by the restless behaviour of the cavaliers, and ill conduct of the several parties concerned in the treaty of Newport, plotted the overthrow of the king and constitution, and accomplished it by an act of lawless violence; that it was only a small part of the army who were seduced into a compliance, and these kept the rest in subjection till the others had executed their desperate purposes; so that though the wisdom of the nation has thought fit to perpetuate the memory of this fatal day by an anniversary fast, as that which may be instructive both to princes and subjects, yet if we may believe the declaration of his majesty at his trial, or of the act of parliament which restored his family, the king's murder was not the act of the people of England, nor of their legal representatives, and therefore ought not to be lamented as a national sin.

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\* 12 Car. II. chap. 30.



## PART IV.

## CHAPTER I.

FROM THE DEATH OF KING CHARLES I. TO THE CORONATION  
OF KING CHARLES II. IN SCOTLAND. 1648.

UPON the death of the late king, the legal constitution was dissolved, and all that followed till the restoration of king Charles II. was no better than a usurpation, under different shapes; the house of commons, if it may deserve that name, after it had been purged of a third part of its members\*, relying on the act of continuation, called themselves the supreme authority of the nation, and began with an act to disinherit the prince of Wales, forbidding all persons to proclaim him king of England, on pain of high-treason. The house of lords was voted useless; and the office of a king unnecessary, burdensome, and dangerous. The form of government for the future was declared to be a free commonwealth; the executive power lodged in the hands of a council of state of forty persons†, with full powers to take care of the whole administration for one year; new keepers of the great seal were appointed, from whom the judges received their commissions, with the name, style, and title, of *custodes libertatis Angliæ autoritate parlamenti*; i. e. keepers of the liberties of England by authority of parliament. The coin was stamped on one side with the arms of England between a laurel and a palm, with this inscription, "The Commonwealth of England;" and on the other, a cross and harp, with this motto, "God with us‡." The oaths of allegiance and supremacy were abolished, and a new one appointed, called the Engagement, which was, to be true and faithful to the government established, without king or house of peers. Such as refused the oath were declared incapable of holding any place or office of trust in the commonwealth; but as many of the excluded members of the house of commons as would take it resumed their places.

Such was the foundation of this new constitution, which had neither the consent of the people of England, nor of their repre-

\* According to Echard, not above a fifth part of the commons were left. On account of the reduced and mutilated state of the house, they were called the Rump Parliament. This name was first given to them by Walker, the author of the History of Independency, by way of derision, in allusion to a fowl, all devoured but the rump; and they were compared to a man "who would never cease to whet and whet his knife, till there was no steel left to make it useful." Dr. Grey, and Rapin.—Ed.

† According to Whitelocke, who gives their names, the council consisted of thirty-eight persons only.—Ed.

‡ On which a man of wit observed, "that God and the commonwealth were not both on a side." Dr. Grey.—Ed.

sentatives in a free parliament. "And if ever there was an usurped government mutilated, and founded only in violence (says Rapin\*), it was that of this parliament." But though it was unsupported by any other power than that of the army, it was carried on with the most consummate wisdom, resolution, and success, till the same military power that set it up was permitted, by Divine Providence, with equal violence to pull it down.

The new commonwealth in its infant state met with opposition from divers quarters: the levellers in the army gave out, that the people had only changed their yoke, not shaken it off; and that the Rump's little finger (for so the house of commons was now called) would be heavier than the king's loins. The agitators therefore petitioned the house to dissolve themselves, that new representatives might be chosen. The commons, alarmed at these proceedings, ordered their general officers to cashier the petitioners, and break their swords over their heads, which was done accordingly. But when the forces passed under a general review at Ware, their friends in the army agreed to distinguish themselves by wearing something white in their hats†; which Cromwell having some intelligence of beforehand, commanded two regiments of horse, who were not in the secret, to surround one of the regiments of foot; and having condemned four of the ringleaders in a council of war, he commanded two of them to be shot to death by their other two associates, in sight of the whole army; and to break the combination, eleven regiments were ordered for Ireland; upon which great numbers deserted, and marched into Oxfordshire; but generals Fairfax and Cromwell, having overtaken them at Abingdon, held them in treaty till colonel Reynolds came up, and after some few skirmishes dispersed them.

The Scots threatened the commonwealth with a formidable invasion, for upon the death of king Charles I. they proclaimed the prince of Wales king of Scotland, and sent commissioners to the Hague, to invite him into that kingdom, provided he would renounce popery and prelacy, and take the solemn league and covenant. To prevent the effects of this treaty, and cultivate a good understanding with the Dutch, the parliament sent Dr. Dorislaus‡, an eminent civilian, concerned in the late king's trial, agent to the States-General; but the very first night after his arrival, May 3, 1649, he was murdered in his own chamber by twelve desperate cavaliers in disguise, who rushed in upon him while he

\* Vol. 2, p. 573, folio.

† Whitelocke, p. 387. 389.

‡ This person was a native of Holland, and doctor of the civil law at Leyden. On his coming to England he was patronised by Fulk lord Brook, who appointed him to read lectures on history in Cambridge. But, as in the opening of his course he decried monarchy, he was silenced; he then resided some time near to Maldon in Essex, where he had married an English woman. He was afterward a judge advocate, first, in the king's army, and then in the army of the parliament, and at length one of the judges of the court of admiralty. The parliament ordered 250*l.* for his funeral; settled on his son 200*l.* per annum for his life, and gave 500*l.* a piece to his daughters. Wood's *Athenæ Oxon.* vol. 2. p. 228; and Whitelocke's *Memorials*, p. 390.—Ed.



was at supper, and with their drawn swords killed him on the spot\*. Both the parliament and states of Holland resented this base action† so highly, that the young king thought proper to remove into France; from whence he went to the Isle of Jersey, and towards the latter end of the year fixed at Breda; where the Scots commissioners concluded a treaty with him, upon the foot of which he ventured his royal person into that kingdom the ensuing year.

But to strike terror into the cavaliers, the parliament erected another high court of justice, and sentenced to death three illustrious noblemen, for the part they had acted in the last civil war; duke Hamilton, the earl of Holland, and lord Capel, who were all executed March 9, in the Palace-yard at Westminster: duke Hamilton declared himself a Presbyterian; and the earl of Holland was attended by two ministers of the same persuasion; but lord Capel was a thorough loyalist, and went off the stage with the courage and bravery of a Roman.

But the chief scene of great exploits this year was in Ireland, which Cromwell, a bold and enterprising commander, had been appointed to reduce; for this purpose he was made lord-lieutenant for three years, and having taken leave of the parliament, sailed from Milford-haven about the middle of August, with an army of fourteen thousand men of resolute principles, who before the embarkation observed a day of fasting and prayer; in which, Mr. Whitelocke remarks, after three ministers had prayed, lieutenant-general Cromwell himself, and the colonels Gough and Harrison, expounded some parts of Scripture excellently well, and pertinently to the occasion. The army was under a severe discipline; not an oath was to be heard throughout the whole camp, the soldiers spending their leisure hours in reading their Bibles, in singing psalms, and religious conferences.

Almost all Ireland was in the hands of the royalists and Roman Catholics, except Dublin and Londonderry; the former of these places had been lately besieged by the duke of Ormond with twenty thousand men‡, but the garrison being recruited with

\* Whitelocke, p. 386.

† Dr. Grey cannot easily believe that the murder of Dr. Dorislaus was resented by the states of Holland; because they had bravely remonstrated by their two ambassadors against the king's death: he cannot, therefore, be easily induced to think, that, after this, they could resent the death of one of his execrable murderers. But Dr. Grey does not consider what was due in this case to the honour of their own police, and to the reputation and weight of their own laws. Mr. Neal is justified in his representations by Whitelocke; who says, "that letters from the Hague reported, that the States caused earnest inquisition to be made after the murderers of Dr. Dorislaus; promised one thousand guilders to him who should bring any of them; and published it death to any who should harbour any one of them." *Memorials*, p. 390.—Ed.

‡ Dr. Grey controverts Mr. Neal's account of the number of the duke of Ormond's army, on the authority of lord Clarendon and Mr. Carte: the former says, that Jones sallied out with a body of six thousand foot and one thousand nine hundred horse, and that the army encamped at Rathmines was not so strong in horse and foot: the latter, that Jones's forces amounted to only four thousand foot and one thousand two hundred horse, which was a body nearly equal to the

three regiments from England, the governor, colonel Jones, surprised the besiegers, and after a vigorous sally stormed their camp, and routed the whole army, which dispersed itself into Drogheda, and other fortified places. Cromwell upon his arrival was received with the acclamations of a vast concourse of people, to whom he addressed himself from a rising ground, with hat in hand, in a soldierlike manner, telling them "he was come to cut down and destroy the barbarous and blood-thirsty Irish, with all their adherents"; but that all who were for the Protestant Religion, and the liberties of their country, should find suitable encouragement from the parliament of England and himself, in proportion to their merits." Having refreshed his forces he marched directly to Drogheda, which was garrisoned with two thousand five hundred foot and three hundred horse, and was therefore thought capable of holding out a month; but the general neglecting the common forms of approach, battered the walls with his cannon, and having made two accessible breaches, like an impetuous conqueror, entered the town in person at the head of colonel Ewer's regiment of foot, and put all the garrison to the sword. From thence he marched to Wexford, which he took likewise by storm, and after the example of Drogheda, put the garrison to the sword; the general declaring, that he would sacrifice all the Irish Papists to the ghosts of the English Protestants whom they had massacred in cold blood†. The conquest of these places struck such a terror

whole Irish army, if it had been all engaged. These authorities are set against Mr. Neal. On the other hand, Whitelocke informs us that, previously to this defeat, letters from Ireland represented the duke of Ormond as approaching Dublin with twelve thousand foot and two thousand four hundred horse; and letters from Chester reported him forty thousand strong before Dublin. Ludlow says, that his forces were double in number to those of Jones. Borlase says, that Jones, with very few forces, comparatively, fell on the besiegers, killed four thousand, and took two thousand five hundred and seventeen prisoners. The plunder of the field, we are told, was so rich, that the camp was like a fair, presenting for sale cloth, silk, and all manner of clothes. The parliament settled 1000*l.* per annum in land on Jones, for his services. Whitelocke's Memorials, p. 393. 401. 404. Ludlow's Memoirs, p. 101, 4to. ed. And Harris's Life of Cromwell, p. 228.—Ed.

\* Dr. Grey spends here more than ten pages in detailing, from lord Clarendon, various acts of oppression, cruelty, and murder, perpetrated by individuals of Cromwell's army; to shew that they were not less barbarous and blood-thirsty than the inhuman wretches concerned in the Irish massacre. Such deeds, undoubtedly, shock humanity; and ought to shock every party. But the guilt lieth originally at the door of those who were the first aggressors; whose conduct furnished the precedent and provoked retaliation.—Ed.

† Great reproach, on this account, has fallen on the name of Cromwell. He reconciled himself to the execution of such severe orders, for putting to the sword and giving no quarter, by considering them as necessary to prevent the effusion of blood for the future, and as the instrument of the righteous judgment of God upon those barbarous wretches who had imbrued their hands in so much innocent blood. If ever such measures are justifiable, "it is in such a case as this (observes Dr. Harris), where the known disposition and behaviour of the sufferers are remarkably barbarous, inhuman, and cruel." Such horror, we are told, had the barbarities committed by the Irish, in the beginning of the Rebellion and during the course of the war, impressed on every English breast, that even the humane and gentle Fairfax expressed in warm and severe terms his disapprobation at granting them quarter. Harris's Life of Cromwell, p. 229; and Macaulay's History of England, vol. 5. p. 15, note, 8vo. ed.—Ed.



into the rest, that they surrendered upon the first summons; the name of Cromwell carrying victory on its wings before himself appeared, the whole country was reduced by the middle of May, except Limerick, Galway, and one or two other places, which Ireton took the following summer. Lord Inchequin deserted the remains of the royal army, and Ormond fled into France. Lieutenant-general Cromwell being called home to march against the Scots, arrived at London about the middle of May, and was received by the parliament and city with distinguished respect and honour, as a soldier who had gained more laurels, and done more wonders, in nine months, than any age or history could parallel.

It is a remarkable account the lieutenant-general gives in one of his letters, of the behaviour of the army after their arrival in Ireland: "Their diligence, courage, and behaviour, are such (says he) through the providence of God, and strict care of the chief officers, that never men did obey orders more cheerfully, nor go upon duty more courageously. Never did greater harmony and resolution appear to prosecute this cause of God, than in this army. Such a consent of hearts and hands; such a sympathy of affections, not only in carnal but in spiritual bonds, which tie faster than chains of adamant! I have often observed a wonderful consent of the officers and soldiers upon the grounds of doing service to God, and how miraculously they have succeeded. The mind of man being satisfied, and fixed on God, and that his undertaking is for God's glory, it gives the greatest courage to those men, and prosperity to their actions\*."

To put the affairs of Ireland together: The Roman Catholics charged the ill success of their affairs upon the duke of Ormond, and sent him word, "that they were determined not to submit any longer to his commands, it not being fit that a Catholic army should be under the direction of a Protestant general; but that if he would depart the kingdom, they would undertake of themselves to drive Ireton out of Dublin." After this they offered the kingdom to the duke of Lorrain, a bigoted Papist, who was wise enough to decline the offer †, and then quarrelling among themselves they were soon driven out of all the strongholds of the kingdom, and forced to submit to the mercy of the conqueror. All who had borne arms in the late insurrection, were shipped away into France, Spain, or Flanders, never to return on pain of death. Those who had a hand in murdering the Protestants at the time of the massacre, were brought from several parts of the country, and after conviction upon a fair trial were executed. The rest of the natives, who were called Tories, were shut up in the most inland counties, and their lands given partly in payment to the

\* Whitelocke, p. 434.

† Dr. Grey insinuates here a reflection on Mr. Neal's veracity; by remarking that he produces no authority for the assertion. But that Ireland was offered to the guardianship of the duke of Lorrain has been since mentioned, as an incontrovertible fact, by Dr. Harris and Mrs. Macaulay.—ED.

soldiers who settled there, and the rest to the first adventurers\*. Lord Clarendon relates it thus: "Near one hundred thousand of them were transported into foreign parts, for the service of the kings of France and Spain; double that number were consumed by the plague, famine, and other severities exercised upon them in their own country; the remainder were by Cromwell transplanted into the most inland, barren, desolate, and mountainous part of the province of Connaught, and it was lawful for any man to kill any of the Irish that were found out of the bounds appointed them within that circuit. Such a proportion of land was allotted to every man, as the protector thought competent for them; upon which they were to give formal releases of all their titles to their lands in any other provinces; if they refused to give such releases, they were still deprived, and left to starve within the limits prescribed them, out of which they durst not withdraw; so that very few refused to sign those releases, or other acts, which were demanded. It was a considerable time before these Irish could raise any thing out of their lands to support their lives; but necessity was the spring of industry." Thus they lived under all the infamy of a conquered nation till the restoration of king Charles II. a just judgment of God for their barbarous and unheard-of cruelties to the Irish Protestants!

To return to England: The body of the Presbyterians acted in concert with the Scots, for restoring the king's family upon the foot of the covenant; several of their ministers carried on a private correspondence with the chiefs of that nation, and instead of taking the engagement to the present powers, called them usurpers, and declined praying for them in their churches; they also declared against a general toleration, for which the army and parliament contended.

When lieutenant-general Cromwell was embarking for Ireland, he sent letters to the parliament, recommending the removal of all the penal laws relating to religion; upon which the house ordered a committee to make report concerning a method for the ease of tender consciences, and an act to be brought in to appoint commissioners in every county, for the approbation of able and well-qualified persons to be made ministers, who cannot comply with the present ordinance for ordination of ministers†.

August 16, general Fairfax and his council of officers presented a petition to the same purpose, praying "that all penal statutes formerly made, and ordinances lately made, whereby many conscientious people were molested, and the propagation of the gospel hindered, might be removed. Not that they desired this liberty should extend to the setting up Popery, or the late hierarchy; or to the countenancing any sort of immorality or profaneness; for they earnestly desired, that drunkenness, swearing, uncleanness, and all acts of profaneness, might be vigorously

\* Carrington's *Life of Cromwell*, p. 155. Clarendon, p. 153.

† Whitelocke, p. 405.



prosecuted in all persons whatsoever \*." The house promised to take the petition into speedy consideration, and after some time passed it into a law.

But to bring the Presbyterian clergy to the test, the engagement, which had been appointed to be taken by all civil and military officers within a limited time, on pain of forfeiting their places, was now required to be sworn and subscribed by all ministers, heads of colleges and halls, fellows of houses, graduates, and all officers in the universities; and by the masters, fellows, schoolmasters, and scholars, of Eton-college, Westminster, and Winchester schools; no minister was to be admitted to any ecclesiastical living, no clergyman to sit as member of the assembly of divines, nor be capable of enjoying any preferment in the church, unless he qualified himself by taking the engagement within six months, publicly in the face of the congregation †.

November 9, it was referred to a committee, to consider how the engagement might be subscribed by all the people of the nation, of eighteen years of age and upwards. Pursuant to which a bill was brought in, and passed, January 2, to debar all who should refuse to take and subscribe it from the benefit of the law; and to disable them from suing in any court of law or equity.

This was a severe test on the Presbyterians, occasioned by the apprehended rupture with the Scots; but their clergy inveighed bitterly against it in their sermons, and refused to observe the days of humiliation appointed by authority for a blessing upon their arms. Mr. Baxter says ‡, that he wrote several letters to the soldiers, to convince them of the unlawfulness of the present expedition: and in his sermons declared it a sin to force ministers to pray for the success of those who had violated the covenant, and were going to destroy their brethren. That he both spoke and preached against the engagement, and dissuaded men from taking it. At Exeter, says Mr. Whitelocke, the ministers went out of town on the fast-day, and shut up the church-doors; and all the magistrates refused the engagement. At Taunton, the fast was not kept by the Presbyterian ministers; and at Chester they condemned the engagement to the pit of hell; as did many of the London ministers, who kept days of private fasting and prayer, against the present government. Some of them (says Whitelocke) joined the royalists, and refused to read the ordinances of parliament in their pulpits, as was usual in those times; nay, when the Scots were beaten, they refused to observe the day of thanksgiving §, but shut up their churches and went out of town; for which they were summoned before the committee and reprimanded;

\* Whitelocke, p. 404.

† Walker, p. 146.

‡ Life, p. 64. 66.

§ Lord Grey, at the desire of some who were zealously attached to the parliament, complained, in a letter to the lord-president of the council of state, of the neglect of the ministers, in Leicestershire and another county, in this instance: and urged the importance of noticing their contempt of the thanksgiving-day, expressed by their non-observance of it. Dr. Grey's Appendix, No. 8.—ED.

but the times being unsettled no farther notice was taken of them at present.

Most of the sectarian party, says Mr. Baxter \*, swallowed the engagement; and so did the king's old cavaliers, very few of them being sick of the disease of a scrupulous conscience: some wrote for it, but the moderate episcopal men and Presbyterians generally refused it. Those of Lancashire and Cheshire published the following reasons against it:

(1.) "Because they apprehended the oath of allegiance, and the solemn league and covenant, were still binding.

(2.) "Because the present powers were no better than usurpers.

(3.) "Because the taking of it was a prejudice to the right heir of the crown, and of the ancient legal constitution."

To which it was answered, "that it was absurd to suppose the oath of allegiance, or the solemn league and covenant, to be in force after the king's death; for how could they be obliged to preserve the king's person, when the king's person was destroyed, and the kingly office abolished? and as to his successor, his right had been forfeited and taken away by parliament." With regard to the present powers, it was said, "that it was not for private persons to dispute the rights and titles of their supreme governors. Here was a government *de facto*, under which they lived; as long therefore as they enjoyed the protection of the government, it was their duty to give all reasonable security that they would not disturb it, or else to remove." The body of the common people being weary of war, and willing to live quiet under any administration, submitted to the engagement, as being little more than a promise not to attempt the subversion of the present government, but many of the Presbyterian clergy chose rather to quit their preferments in the church and university, than comply; which made way for the promotion of several Independent divines, and among others, of Dr. Thomas Goodwin, one of the dissenting brethren in the assembly, who by order of parliament, January 8, 1649-50, was appointed president of Magdalen-college, Oxford, with the privilege of nominating fellows and demies in such places as should become vacant by death, or by the possessors refusing to take the engagement †.

The parliament tried several methods to reconcile the Presbyterians to the present administration; persons were appointed to treat with them, and assure them of the protection of the government, and of the full enjoyment of their ecclesiastical preferments according to law; when this could not prevail, an order was published, that ministers in their pulpits should not meddle with state-affairs. After this the celebrated Milton was appointed to write for the government, who rallied the seditious preachers with his satirical pen in a severe manner; at length, when all other methods failed, a committee was chosen to receive informations

\* Life, p. 64, 65.

† Whitelocke, p. 453.



against such ministers as in their pulpits vilified and aspersed the authority of parliament, and an act was passed, that all such should be sequestered from their ecclesiastical preferments\*.

The Presbyterians supported themselves under these hardships by their alliance with the Scots, and their hope of a speedy alteration of affairs by their assistance; for in the remonstrance of the general assembly of that kirk, dated July 27, they declare, that "the spirit which has acted in the councils of those who have obstructed the work of God, despised the covenant, corrupted the truth, forced the parliament, murdered the king, changed the government, and established such an unlimited toleration in religion, cannot be the spirit of righteousness and holiness. They therefore warn the subjects of Scotland against joining with them, and in case of an invasion to stand up in their own defence. The English have no controversy with us (say they), but because the kirk and state have declared against their unlawful engagement; because we still adhere to our covenant, and have borne our testimony against their toleration, and taking away the king's life †." But then they warn their people also against malignants, "who value themselves upon their attachment to the young king; and if any from that quarter should invade the kingdom, before his majesty has given satisfaction to the parliament and kirk, they exhort their people to resist them, as abettors of an absolute and arbitrary government."

About two months after this, the parliament of England published a declaration on their part, wherein they complain of the revolt of the English and Scots Presbyterians, and of their taking part with the enemy, because their discipline was not the exact standard of reformation. "But we are still determined (say they ‡) not to be discouraged in our endeavours to promote the purity of religion, and the liberty of the commonwealth; and for the satisfaction of our Presbyterian brethren, we declare, that we will continue all those ordinances, which have been made for the promoting a reformation of religion, in doctrine, worship, and discipline, in their full force; and will uphold the same, in order to suppress Popery, superstition, blasphemy, and all kinds of profaneness. Only we conceive ourselves obliged to take away all such acts and ordinances as are penal and coercive in matters of conscience. And because this has given so great offence, we declare, as in the presence of God, that by whomsoever this liberty shall be abused, we will be ready to testify our displeasure against them, by an effectual prosecution of such offenders."

The Scots commissioners were all this while treating with the king in Holland, and insisting on his subscribing the solemn league and covenant; his establishing the Westminster confession, the Directory, and the Presbyterian government, in both kingdoms. The king being under discouraging circumstances, consented to

\* Whitelocke, p. 387.

† Vol. Pamph. No. 34. p. 6.

‡ Ibid. No. 34.

all their demands with regard to Scotland, and as to England, referred himself to a free parliament; but the Scots, not satisfied with his majesty's exceptions as to England, replied, that "such an answer as this would grieve the whole kirk of Scotland, and all their covenanting brethren in England and Ireland, who under pain of the most solemn perjury stand bound to God and one another, to live and die by their covenant, as the chief security of their religion and liberties, against popish and prelatical malignants. Your majesty's father (say they), in his last message to our kirk, offered to ratify the solemn league and covenant. He offered likewise at the Isle of Wight to confirm the Directory, and the Presbyterian government in England and Ireland, till he and his parliament should agree upon a settled order of the church. Besides, your majesty having offered to confirm the abolishing of episcopacy, and the service-book in Scotland, it cannot certainly be against your conscience to do it in England." But the king would advance no farther till he had heard from the queen-mother, who sent him word, that it was the opinion of the council of France, that he should agree with the Scots upon the best terms he was able, which he did accordingly, as will be related the next year.

The fifth provincial assembly of London met the beginning of May [1649] at Sion-college, the reverend Mr. Jackson, of St. Michael Wood-street, moderator. A committee was appointed to prepare materials for proof of the divine right of presbyterial church-government. The proofs were examined and approved by this, and the assembly that met in November following, of which Mr. Walker was moderator, Mr. Calamy and Mr. Jackson assessors, and Mr. Blackwell scribe. The treatise was printed, and asserts,

- (1.) That there is a church-government of divine institution.
- (2.) That the civil magistrate is not the origin or head of church-government. And,
- (3.) That the government of the church by synods and classes is the government that Christ appointed. It maintains separation from their churches to be schism; that ministers formerly ordained by bishops need not be re-ordained: and for private Christians in particular churches to assume a right of sending persons forth to preach, and to administer the sacraments, is in their opinion insufferable.

The parliament did all they could to satisfy the malecontent Presbyterians, by securing them in their livings, and by ordering the dean and chapter lands to be sold\*, and their names to be extinct, except the deanery of Christ-church, and the foundations of Westminster, Winchester, and Eton schools. The bishops'

\* The money raised by the sale of those lands amounted to a very considerable sum. The return of the value of the lands, contracted for to the 29th of August 1650, made to the committee for the sale of them, fixed it at the sum of 948,409*l.* 18*s.* 2*d.*, of which, on the 31st of August, the total of the purchasers' acquittances amounted to 658,501*l.* 2*s.* 9*d.* Dr. Grey, vol. 3. Appendix, p. 18.—Ed.



lands, which had been sequestered since the year 1646, were now, by an ordinance of June 8, 1649, vested in the hands of new trustees, and appropriated to the augmentation of poor livings in the church\*. The first-fruits and tenths of all ecclesiastical livings, formerly payable to the crown, were vested in the same hands, free from all incumbrances, on trust, that they should pay yearly all such salaries, stipends, allowances, and provisions, as have been settled and confirmed by parliament, for preaching ministers, schoolmasters, or professors in the universities; provided the assignment to any one do not exceed 100*l*. It is farther provided, that the maintenance of all incumbents shall not be less than 100*l*. a year, and the commissioners of the great seal are empowered to inquire into the yearly value of all ecclesiastical livings, to which any cure of souls is annexed; and to certify into the court of chancery, the names of the present incumbents who supply the cure, with their respective salaries; how many chapels belong to parish-churches, and how the several churches and chapels are supplied with preaching ministers; that so some course may be taken for providing for a better maintenance where it is wanting. Dr. Walker says†, the value of bishops' lands forfeited and sold amounted to a million of money: but though they sold very cheap, they that bought them had a very dear bargain in the end.

Upon debate of an ordinance concerning public worship, and church-government, the house declared, that the Presbyterian government should be the established government. And upon the question, whether tithes should be continued, it was resolved, that they should not be taken away, till another maintenance equally large and honourable should be substituted in its room.

The inhabitants of the principality of Wales were destitute of the means of Christian knowledge, the language was little understood, their clergy were ignorant and idle; so that they had hardly a sermon from one quarter of a year to another. The people had neither bibles nor catechisms; nor was there a sufficient maintenance for such as were capable of instructing them. The parliament taking the case of these people into consideration, passed an act, February 22, 1649, for the better propagation and preaching of the gospel in Wales, for the ejecting scandalous ministers and schoolmasters, and redress of some grievances; to continue in force for three years. What was done in pursuance of this ordinance will be related hereafter; but the parliament were so intent upon the affair of religion at this time, that Mr. Whitelocke says, they devoted Friday in every week to consult ways and means for promoting it.

Nor did they confine themselves to England, but as soon as lieutenant-general Cromwell had reduced Ireland, the parliament passed an ordinance, March 8, 1649, for the encouragement of

\* Scobel, p. 41. 113.

† P. 14.

religion and learning in that country; "they invested all the manors and lands late of the archbishop of Dublin, and of the dean and chapter of St. Patrick, together with the parsonage of Trym belonging to the bishopric of Meath, in the hands of trustees, for the maintenance and support of Trinity-college in Dublin; and for the creating, settling, and maintaining another college in the said city, and of a master, fellows, scholars, and public professors: and also for erecting a free-school, with a master, usher, scholars, and officers, in such manner as any five of the trustees, with the consent of the lord-lieutenant, shall direct and appoint. The lord-lieutenant to nominate the governor, masters, &c. and to appoint them their salaries; and the trustees, with the consent of the lord-lieutenant, shall draw up statutes and ordinances, to be confirmed by the parliament of England."

The university of Dublin being thus revived, and put upon a new foot, the parliament sent over six of their most acceptable preachers to give it reputation, appointed them 200*l.* a year out of the bishops' lands; and till that could be duly raised, to be paid out of the public revenues: and for their farther encouragement, if they died in that service, their families were to be provided for. By these methods learning began to revive, and in a few years religion appeared with a better face than it had ever done before in that kingdom.

A prospect being opened for spreading the Christian religion among the Indians, upon the borders of New-England, the parliament allowed a general collection throughout England, and erected a corporation for this service, who purchased an estate in land of between 5 and 600*l.* a year; but on the restoration of king Charles II. the charter became void, and colonel Bedingfield, a Roman-Catholic officer in the king's army, of whom a considerable part of the land was purchased, seized it for his own use, pretending he had sold it under the real value, in hopes of recovering it upon the king's return. In order to defeat the colonel's design, the society solicited the king for a new charter, which they obtained by the interest of the lord-chancellor. It bears date February 7, in the fourteenth year of his majesty's reign, and differs but little from the old one. The honourable Robert Boyle, esq. was the first governor. They afterward recovered colonel Bedingfield's estate, and are at this time in possession of about 500*l.* a year, which they employ for the conversion of the Indians in America.

But all that parliament could do was not sufficient to stop the mouths of the loyalists and discontented Presbyterians; the pulpit and press sounded to sedition; the latter brought forth invectives every week against the government; it was therefore resolved to lay a severe fine upon offenders of this kind, by an ordinance bearing date September 20, 1649, the preamble to which sets forth, that "Whereas divers scandalous and seditious pamphlets are daily printed, and dispersed with officious industry, by the



malignant party both at home and abroad, with a design to subvert the present government, and to take off the affections of the people from it, it is therefore ordained,

“That the author of every seditious libel or pamphlet shall be fined ten pounds, or suffer forty days’ imprisonment. The printer five pounds, and his printing-press to be broken. The bookseller forty shillings; the buyer twenty shillings, if he conceals it, and does not deliver it up to a justice of peace. It is farther ordained, that no newspaper shall be printed or sold without licence, under the hand of the clerk of the parliament, or the secretary of the army, or such other person as the council of state shall appoint. No printing-presses are to be allowed but in London, and in the two universities. All printers are to enter into bonds of three hundred pounds, not to print any pamphlet against the state without licence, as aforesaid, unless the author’s or licenser’s name, with the place of his abode, be prefixed. All importers of seditious pamphlets are to forfeit five pounds for every such book or pamphlet. No books are to be landed in any other port but that of London, and to be viewed by the master and wardens of the company of stationers. This act to continue in force for two years\*.”

But the pulpit was no less dangerous than the press; the Presbyterian ministers in their public prayers and sermons, especially on fast-days, keeping alive the discontents of the people. The government therefore, by an ordinance, abolished the monthly fast, which had subsisted for about seven years, and had been in a great measure a fast for strife and debate; but declared at the same time, that they should appoint occasional fasts, from time to time for the future, as the providences of God should require†.

In the midst of all these disorders, there was a very great appearance of sobriety both in city and country; the indefatigable pains of the Presbyterian ministers in catechising, instructing, and visiting their parishioners, can never be sufficiently commended. The whole nation was civilized, and considerably improved in sound knowledge, though bishop Kennet and Mr. Echard are pleased to say, that heresies and blasphemies against heaven were swelled up to a most prodigious height. “I know (says Mr. Baxter‡) you may meet with men who will confidently affirm, that in these times all religion was trodden under foot, and that heresy and schism were the only piety; but I give warning to all ages, that they take heed how they believe any, while they are speaking for the interest of their factions and opinions against their real or supposed adversaries.” However, the parliament did what they could to suppress and discountenance all such extravagances; and even the officers of the army, having convicted one of their quarter-masters of blasphemy in a council of war, sen-

\* Scobel, p. 88. cap. 60.

† Whitelocke, p. 383.

‡ Life, p. 86.

tenced him to have his tongue bored through with a hot iron, his sword broken over his head, and to be cashiered the army.

But bishop Kennet says, even the Turkish Alcoran was coming in; that it was translated into English, and said to be licensed by one of the ministers of London. Sad times! Was his lordship then afraid that the Alcoran should prevail against the Bible? or that the doctrines of Christ could not support themselves against the extravagant follies of an impostor? But the book did no harm, though the commons immediately published an order for suppressing it; and since the restitution of monarchy and episcopacy, we have lived to see the life of Mahomet and his Koran published without mischief or offence.

His lordship adds, that the Papists took advantage of the liberty of the times, who were never more numerous and busy; which is not very probable, because the parliament had banished all Papists twenty miles from the city of London, and excepted them out of their acts of indulgence and toleration; the spirit of the people against Popery was kept up to the height; the mob carried the pope's effigy in triumph, and burnt it publicly on queen Elizabeth's birthday; and the ministers in their pulpits pronounced him Antichrist; but such is the zeal of this right reverend historian \*!

The beginning of this year, the marquis of Montrose was taken in the north of Scotland by colonel Straughan † with a small body

\* In this place we may notice, that colonel Lilburne, who in the reign of Charles I. felt the severe effects of regal and episcopal anger, now incurred the displeasure of a republican government. On October 26, 1646, he was tried for transgressing the new statute of treasons enacted by the commonwealth. He was acquitted by the jury; and Westminster-hall, on the verdict being given, resounded with the acclamations of the people. A print was struck on the occasion, representing him standing at the bar on his trial: at the top of it was a medal of his head, with this inscription, "John Lilburne, saved by the power of the Lord, and the integrity of his jury, who are judges of law as well as fact, October 6, 1646." On the reverse were the names of the jury. He was a very popular character; as appears from the many petitions presented to the house in his favour during his imprisonment; one of which came from a number of women. When some were sent to seize his books, he persuaded them, "to look to their own liberties, and let his books alone;" and on his trial, he behaved with singular intrepidity. After he was discharged by the jury, he was, by the order of parliament, committed to the Tower. He seems to have been a bold and consistent oppugner of tyranny, under whatever form of government it was practised. He died a Quaker, at Eltham, August 28, 1658. The following character was given of him by sir Thomas Wortley, in a song, at the feast kept by the prisoners in the Tower, in August 1647.

John Lilburne is a stirring blade,  
And understands the matter;  
He neither will king, bishops, lords,  
Nor th' house of commons flatter.  
John loves no power prerogative,  
But that deriv'd from Sion;  
As for the mitre and the crown,  
Those two he looks awry on.

Granger's History of England, vol. 3, p. 78, 8vo. Whitelocke's Mem. p. 383, 384. and 405. Dr. Grey, vol. 1. p. 167, and vol. 3. p. 17.—Ed.

† This is not accurate. Colonel Straughan's forces in conjunction with others fell on lord Montrose's party, routed them, and took six hundred prisoners: but



of troops, and hanged at Edinburgh on a gallows thirty feet high; his body was buried under the gallows, and his quarters set upon the gates of the principal towns in Scotland; but his behaviour was great and firm to the last. The marquis appeared openly for the king in the year 1643, and having routed a small party of covenanters in Perthshire, acquired considerable renown; but his little successes were very mischievous to the king's affairs, being always magnified beyond what they really were\*; his vanity was the occasion of breaking off the treaty of Uxbridge, and his fears lest king Charles II. should agree with the Scots, and revoke his commission before he had executed it, now hurried him to his own ruin.

The young king being in treaty with the Scots covenanters at Breda, was forced to stifle his resentments for the death of the marquis, and submit to the following hard conditions:

(1.) "That all persons excommunicated by the kirk should be forbid the court.

(2.) "That the king by his solemn oath, and under his hand and seal, declare his allowance of the covenant.

(3.) "That he confirm those acts of parliament which enjoin the covenant. That he establish the Presbyterian worship and discipline, and swear never to oppose or endeavour to alter them.

(4.) "That all civil matters be determined by parliament; and all ecclesiastical affairs by the kirk.

(5.) "That his majesty ratify all that has been done in the parliament of Scotland in some late sessions, and sign the covenant upon his arrival in that kingdom, if the kirk desired it†."

The king arrived in Scotland June 23; but before his landing the commissioners insisted on his signing the covenant, and upon parting with all his old councillors, which he did, and was then conducted by the way of Aberdeen and St. Andrew's to his house

the marquis himself escaped, though with difficulty, for his horse, pistols, belt, and scabbard, were seized: and two or three days after the fight, he was taken sixteen miles from the place of engagement, in a disguise, and sorely wounded: having been betrayed, some say by lord Aston, but, according to bishop Burnet, by Mackland, of Assin. Dr. Grey; and Whitelocke's Memorials, p. 438, 439.—Ed.

\* If his successes were magnified beyond the truth, his character has also been handed down with the highest eulogiums. The marquis of Montrose (says Mr. Granger) was comparable to the greatest heroes of antiquity. We meet with many instances of valour in this active reign; but Montrose is the only instance of heroism. Amongst other circumstances of indignity, which accompanied his execution, the book of his exploits, a small octavo written in elegant Latin, which is now very scarce, was tied appendant to his neck. Dr. Grey; and Granger's History of England, vol. 2. p. 245, 246, 8vo.—Ed.

† Besides taking the covenant, it was exacted of the king also to acknowledge twelve articles of repentance, in which were enumerated the sins of his father and grandfather, and idolatry of his mother; and in which were declarations, that he sought the restitution of his rights for the sole advantage of religion, and in subordination to the kingdom of Christ. Mrs. Macaulay's History of England, vol. 5. p. 62, 8vo.—Ed.

at Faulkland. July 11, his majesty was proclaimed at the cross at Edinburgh, but the ceremony of his coronation was deferred to the beginning of the next year. In the meantime the English commonwealth was providing for a war which they saw was unavoidable, and general Fairfax refusing to act against the Scots, his commission was immediately given to Cromwell, with the title of captain-general in chief of all the forces raised and to be raised by authority of parliament, within the commonwealth of England. Three days after, viz. June 29, he marched with eleven thousand foot and five thousand horse towards the borders of Scotland, being resolved not to wait for the Scots invading England, but to carry the war into their country. The Scots complained to the English parliament of this conduct, as a breach of the act of pacification, and of the covenant; but were answered, that they had already broken the peace by their treaty with Charles Stuart, whom they had not only received as their king, but promised to assist in recovering the crown of England. Their receiving the king was certainly their right as an independent nation; but whether their engaging to assist him in recovering the crown of England was not declaring war, must be left to the reader.

July 22, the general crossed the Tweed, and marched his army almost as far as Edinburgh without much opposition, the country being deserted by reason of the terror of the name of Cromwell, and the reports that were spread of his cruelty in Ireland. Not a Scotsman appeared under sixty, nor a youth above six years old, to interrupt his march. All provisions were destroyed, or removed, to prevent the subsistence of the army, which was supplied from time to time by sea; but the general having made proclamation, that no man should be injured in his person or goods who was not found in arms, the people took heart and returned to their dwellings.

The Scots army, under the command of general Lesley, stood on the defensive, and watched the motions of the English all the month of August; the main body being intrenched within six miles of Edinburgh, to the number of thirty thousand of the best men that ever Scotland saw; general Cromwell did every thing he could to draw them to a battle, till by the fall of rain and bad weather he was obliged to retreat to Musselborough, and from thence to Dunbar, where he was reduced to the utmost straits, having no way left but to conquer or die\*. In this extremity he summoned the officers to prayer; after which he bid all about him take heart, for God had heard them; then walking in the earl of Roxborough's gardens, that lay under the hill upon which the Scots army was encamped, and discovering by perspective glasses that they were coming down to attack him, he said God was delivering them into his hands. That night proving very

\* Life of Cromwell, p. 178. Burnet's Hist. vol. I. p. 74. Edinb. edit.



rainy, the general refreshed his men in the town, and ordered them to take particular care of their firelocks, which the Scots neglected, who were all the night coming down the hill. Early next morning, September 3, the general with a strong party of horse beat their guards, and then advancing with his whole army, after about an hour's dispute, entered their camp and carried all before him: about four thousand Scots fell in battle, ten thousand were made prisoners, with fifteen hundred arms, and all their artillery and ammunition; the loss of the English amounting to no more than about three hundred men.

It is an odd reflection lord Clarendon \* makes upon this victory: "Never was victory obtained (says his lordship) with less lamentation; for as Cromwell had great argument of triumph, so the king was glad of it, as the greatest happiness that could befall him, in the loss of so strong a body of his enemies †." Such was the encouragement the Scots had to fight for their king!

Immediately after this action, the general took possession of Edinburgh, which was in a manner deserted by the clergy; some having shut themselves up in the castle, and others fled with their effects to Stirling; the general, to deliver them from their fright, sent a trumpet to the castle, to assure the governor that the ministers might return to their churches, and preach without any disturbance from him, for he had no quarrel with the Scots nation on the score of religion ‡. But the ministers replied, that having no security for their persons, they thought it their duty to reserve themselves for better times. Upon which the general wrote to the governor,

"That his kindness offered to the ministers in the castle, was without any fraudulent reserve; that if their Master's service was their principal concern, they would not be so excessively afraid of suffering for it. That those divines had misreported the conduct of his party, when they charged them with persecuting the ministers of Christ in England; for the ministers in England (says he) are supported, and have liberty to preach the gospel, though not to rail at their superiors at discretion; nor, under a pretended pri-

\* Vol. 3. p. 377.

† Dr. Grey adds the reason which lord Clarendon assigns for the king's rejoicing in this victory; which was, his apprehension that if the Scots had prevailed, they would have shut him up in prison the next day: whereas, after this defeat, they looked upon the king as one they might stand in need of, gave him more liberty than they had before allowed, permitted his servants to wait on him, and began to talk of a parliament and of a time for his coronation.—Ed.

‡ It is a proof of this, that while Oliver Cromwell was at Edinburgh, he attended divine worship in the great church there, when Mr. William Derham preached, and called Oliver a usurper to his face. He was so far from resenting this, that he invited Mr. Derham to visit him in the evening, when they supped together in great harmony. Oliver observed, however, "that it was well known to him, how much he and his brethren disliked him: but they might assure themselves that, if any of the Stuart line came to the throne, they would find their little fingers greater than his loins." Dr. Gibbon's Account of the Cromwell Family, annexed to his Funeral Sermon for William Cromwell, esq. p. 47.—Ed.

vilege of character, to overtop the civil powers, or debase them as they please.—No man has been disturbed in England or Ireland for preaching the gospel; nor has any minister been molested in Scotland since the coming of the army hither; speaking truth becomes the ministers of Christ; but when ministers pretend to a glorious reformation, and lay the foundation thereof in getting to themselves power, and can make worldly mixtures to accomplish the same, such as the late agreement with their king, they may know, that the Sion promised is not to be built with such untempered mortar. And for the unjust invasion they [the ministers] mention, time was when an army out of Scotland came into England, not called by the supreme authority—we have said in our papers, with what hearts and upon what account we came, and the Lord has heard us, though you would not, upon as solemn an appeal as any experience can parallel.—I have nothing to say to you, but that I am,

“ Sir, your humble servant,

“ O. CROMWELL \*.”

The Scots ministers, in their reply to this letter, objected to the general his opening the pulpit-doors to all intruders, by which means a flood of errors was broke in upon the nation. To which the general replied, “ We look on ministers as helpers of, not lords over, the faith of God’s people: I appeal to their consciences, whether any denying of their doctrines, or dissenting from them, will not incur the censure of a sectary; and what is this but to deny Christians their liberty, and assume the infallible chair? Where do you find in Scripture that preaching is included within your function? Though an approbation from men has order in it, and may be well, yet he that hath not a better than that, hath none at all.

“ I hope He that ascended up on high may give his gifts to whom he pleases; and if those gifts be the seal of mission, are not you envious, though Eldad and Medad prophesy? You know who has bid us covet earnestly the best gifts, but chiefly, that we may prophesy; which the apostle explains to be a speaking to instruction, edification, and comfort, which the instructed, edified, and comforted, can best tell the energy and effect of.

“ Now, if this be evidence, take heed you envy not for your own sakes, lest you be guilty of a greater fault than Moses reproved in Joshua, when he envied for his sake. Indeed you err through mistake of the Scriptures. Approbation is an act of convenience in respect of order, not of necessity, to give faculty to preach the gospel.

“ Your pretended fear, lest error should step in, is like the man that would keep all the wine out of the country lest men should be drunk. It will be found an unjust and unwise jealousy, to

\* Life of Cromwell, p. 182.



deny a man the liberty he hath by nature, upon a supposition he may abuse it. When he doth abuse it, then judge \*."

The governor complained to the general, that the parliament at Westminster had fallen from their principles, not being true to the ends of the covenant. And then adds with the ministers, that men of secular employments had usurped the office of the ministry, to the scandal of the reformed churches.

In answer to the first part of this expostulation, general Cromwell desired to know, whether their bearing witness to themselves, was a good evidence of their having prosecuted the ends of the covenant? "To infer this (says he,) is to have too favourable an opinion of your own judgment and impartiality. Your doctrines and practice ought to be tried by the word of God, and other people must have a liberty of examining them upon these heads, and of giving sentence †."

As to the charge of indulging the use of the pulpit to the laity, the general admits it, and adds, "Are ye troubled that Christ is preached? does it scandalize the reformed churches, and Scotland in particular? is it against the covenant? away with the covenant if it be so. I thought the covenant and these men would have been willing, that any should speak good of the name of Christ; if not, it is no covenant of God's approving; nor the kirk you mention so much the spouse of Christ."

The general, in one of his letters, lays considerable stress upon the success of their arms, after a most solemn appeal to God on both sides. To which the Scots governor replied, "We have not so learned Christ, as to hang the equity of a cause upon events." To which Cromwell answers, "We could wish that blindness had not been upon your eyes to those marvellous dispensations which God has lately wrought in England. But did you not solemnly appeal and pray? Did not we do so too? And ought not we and you to think with fear and trembling on the hand of the great God in this mighty and strange appearance of his, and not slightly call it an event? Were not your expectations and ours renewed from time to time, whilst we waited on God to see how he would manifest himself upon our appeals? And shall we after all these our prayers, fastings, tears, expectations, and solemn appeals, call these bare events? The Lord pity you."—

From this correspondence the reader may form a judgment of the governing principles of the Scots and English at this time; the former were so inviolably attached to their covenant that they would depart from nothing that was inconsistent with it. The English, after seeking God in prayer, judged of the goodness of their cause by the appearance of Providence in its favour; most of the officers and soldiers were men of strict devotion, but went

\* Whitelocke, p. 458. Collyer's Ecclesiastical History, p. 863. † Ibid. p. 864.

upon this mistaken principle, that God would never appear for a bad cause after a solemn appeal to him for decision. However, the Scots lost their courage, and surrendered the impregnable castle of Edinburgh into the hands of the conqueror December 24, the garrison having liberty to march out with their baggage to Burnt-Island in Fife; and soon after the whole kingdom was subdued.

The provincial assembly of London met this year as usual, in the months of May and November, but did nothing remarkable; the parliament waited to reconcile them to the engagement, and prolonged the time limited for taking it; but when they continued inflexible, and instead of submitting to the present powers were plotting with the Scots, it was resolved to clip their wings, and make some examples, as a terror to the rest. June 21, the committee for regulating the universities was ordered to tender the engagement to all such officers, masters, and fellows, as had neglected to take it, and upon their refusal, to displace them. Accordingly, in the university of Cambridge, Mr. Vines, Dr. Rainbow, and some others, were displaced, and succeeded by Mr. Sydrach Sympson, Mr. Jo. Sadler, and Mr. Dell. In the university of Oxford, Dr. Reynolds the vice-chancellor refused the engagement, but after some time offered to take it, in hopes of saving his deanery of Christchurch; but the parliament resenting the example took advantage of his forfeiture, and gave the deanery to Dr. John Owen, an Independent divine, who took possession of it, March 18, 1650—1\*.

Upon the resignation of the vice-chancellor, Dr. Daniel Greenwood, principal of Brazen-nose college, and a Presbyterian divine, was appointed his successor, October 12, and on the 15th of January following, Oliver Cromwell, now in Scotland, was chosen unanimously, in full convocation, chancellor of the university in the room of the earl of Pembroke lately deceased†. When the doctor and masters who were sent to Edinburgh acquainted him with the choice, he wrote a letter to the university, in which after a modest refusal of their favour he adds, "If these arguments prevail not, and that I must continue this honour till I can personally serve you, you shall not want my prayers, that piety and learning may flourish among you, and be rendered useful and subservient to that great and glorious kingdom of our Lord Jesus Christ; of the approach of which so plentiful an effusion of the Holy Spirit upon those hopeful plants among you is one of the best presages."—When the general's letter was read in convocation, the house resounded with cheerful acclamations. Dr. Greenwood continued vice-chancellor two years, but was then displaced for his disaffection to the government, and the honour was conferred on Dr. Owen. Thus by degrees the Presbyterians

\* Baxter's Life, p. 64.

† Wood's Fasti, p. 92; or Athen. Oxon. vol. 2. p. 772.



lost their influence in the universities, and delivered them up into the hands of the Independents.

To strengthen the hands of the government yet farther, the parliament, by an ordinance bearing date September 20, took away all the penal statutes for religion\*. The preamble sets forth, "that divers religious and peaceable people, well-affected to the commonwealth, having not only been molested and imprisoned, but brought into danger of abjuring their country, or in case of return to suffer death as felons, by sundry acts made in the times of former kings and queens of this nation, against recusants not coming to church, &c. they therefore enact and ordain,

"That all the clauses, articles, and provisos, in the ensuing acts of parliament, viz. 1 Eliz., 23 Eliz., 35 Eliz., and all and every branch, clause, article, or proviso, in any other act or ordinance of parliament, whereby any penalty or punishment is imposed or meant to be imposed on any person whatsoever, for not repairing to their respective parish-churhes; or for not keeping of holy days; or for not hearing Common Prayer, &c. shall be, and are hereby, wholly repealed and made void.

"And to the end that no profane or licentious persons may take occasion, by the repeal of the said laws, to neglect the performance of religious duties, it is farther ordained, that all persons not having a reasonable excuse, shall on every Lord's day, and day of public thanksgiving or humiliation, resort to some place of public worship; or be present at some other place, in the practice of some religious duty, either of prayer or preaching, reading or expounding the Scriptures."—

By this law the doors were set open, and the state was at liberty to employ all such in their service as would take the oaths to the civil government, without any regard to their religious principles.

Sundry severe ordinances were made for suppressing of vice, error, and all sorts of profaneness and impiety. May 10, it was ordained, "that incest and adultery should be made felony; and that fornication should be punished with three months' imprisonment for the first offence; and that the second offence should be felony without benefit of clergy. Common bawds, or persons who keep lewd houses, are to be set in the pillory; to be whipped, and marked in the forehead with the letter B, and then committed to the house of correction for three years for the first offence; and for the second to suffer death, provided the prosecution be within twelve months †."

June 28, it was ordained, "that every nobleman who shall be convicted of profane cursing and swearing, by the oath of one or more witnesses, or by his own confession, shall pay for the first offence thirty shillings to the poor of the parish; a baronet, or

\* Scobel, p. 131.

† Ibid. p. 121.

knight, twenty shillings; an esquire ten shillings; a gentleman six shillings and eight-pence; and all inferior persons three shillings and four-pence. For the second offence they are to pay double, according to their qualities above mentioned. And for the tenth offence they are to be judged common swearers and cursers, and to be bound over to their good behaviour for three years. The like punishment for women, whose fines are to be determined according to their own or their husbands' quality\*."

August 9, an ordinance was passed, for punishing blasphemous and execrable opinions. The preamble takes notice, that "though several laws had been made for promoting reformation in doctrines and manners, yet there were divers men and women who had lately discovered monstrous opinions, even such as tended to the dissolution of human society; the parliament therefore, according to their declaration of September 27, 1649, in which they said, they should be ready to testify their displeasure against such offenders, by strict and effectual proceedings against them who should abuse and turn into licentiousness the liberty given in matters of religion, do therefore ordain and enact,

"That any persons not distempered in their brains, who shall maintain any mere creature to be God, or to be infinite, almighty, &c. or that shall deny the holiness of God; or shall maintain, that all acts of wickedness and unrighteousness are not forbidden in Holy Scripture; or that God approves them: any one who shall maintain, that acts of drunkenness, adultery, swearing, &c. are not in themselves shameful, wicked, sinful, and impious; or that there is not any real difference between moral good and evil, &c. all such persons shall suffer six months' imprisonment for the first offence; and for the second shall be banished; and if they return without licence shall be treated as felons†."

Though several ordinances had been made heretofore for the strict observation of the Lord's day, the present house of commons thought fit to enforce them by another, dated April 19, 1650, in which they ordain, "that all goods cried or put to sale on the Lord's day, or other days of humiliation and thanksgiving appointed by authority, shall be seized. No waggoner or drover shall travel on the Lord's day on penalty of 10s. for every offence. No persons shall travel in boats, horses, or coaches, except to church, on penalty of 10s. The like penalty for being in a tavern. And where distress is not to be made, the offender is to be put into the stocks six hours. All peace-officers are required to make diligent search for discovering offenders; and in case of neglect, the justice of peace is fined 5*l.* and every constable 20*s.*" Such was the severity of these times‡.

The parliament having ordered the sale of bishops' lands, and the lands of deans and chapters, and vested the money in the hands of trustees, as has been related, appointed this year, April 5, part

\* Scobel, p. 123.

† *Ibid.* p. 124.

‡ *Ibid.* p. 118.



of the money to be appropriated for the support and maintenance of such late bishops, deans, prebendaries, singing-men, choristers, and other members, officers, and persons destitute of maintenance, whose respective offices, places, and livelihoods, were taken away, and abolished, distributing and proportioning the same according to their necessities. How well this was executed I cannot determine; but it was a generous act of compassion, and more than the church of England would do for the Nonconformists at the Restoration\*.

A motion being made in the house about translating all law-books into the English language, Mr. Whitelocke made a learned speech on the argument, wherein he observes, that "Moses read the law to the Jews in the Hebrew language; that the laws of all the eastern nations were in their mother-tongue; the laws of Constantinople were in Greek; at Rome they were in Latin; in France, Spain, Germany, Sweden, Denmark, and other places, their laws are published in their native language. As for our own country (says he), those who can read the Saxon character may find the laws of our ancestors in that language. Pursuant to this regulation, William duke of Normandy, commonly called the Conqueror, commanded the laws to be published in English, that none might pretend ignorance. He observes farther, that by 36 Eliz. cap. 3, it was ordered, that all pleadings should be in English; and even in the reigns of those princes, wherein our statutes were enrolled in French, the sheriffs were obliged to proclaim them in English, because the people were deeply concerned to know the laws of their country, and not to be kept in ignorance of the rule by which their interests and duty were directed†."

The arguments in this speech were so forcible, that the house agreed unanimously to a bill, wherein they ordain, "that all books of law be translated into English; and all proceedings in any court of justice, except the court of Admiralty, after Easter term 1651, shall be in English only; and all writs, &c. shall be in a legible hand, and not in court-hand, on forfeiture of 20*l.* for the first offence, half to the commonwealth, and the other half to them that will sue for the same‡." And though this regulation ceased at the Restoration, as all other ordinances did that were made in these times, the late parliament has thought fit to revive it.

From this time we may date the rise of the people called Quakers, in whom most of the enthusiasts of these times centred: their first leader was George Fox, born at Drayton in Lancashire 1624; his father, being a poor weaver §, put him apprentice to a country

\* Scobel, p. 111.

† Whitelocke, p. 460.

‡ Scobel, p. 155.

§ It is to be wished, that Mr. Neal had not used this epithet, poor. It is not in the author whom he quotes, was needless, and has the appearance of contempt. The parents of Fox were truly respectable; his father, Christopher Fox, of such a virtuous life, that his neighbours called him righteous Christer; his mother, of the stock of martyrs, and a woman of qualifications superior to the generality of her circumstances in life: they were both members of the national church, distinguished by piety, and cherished the religious turn of mind which their son discovered in his

shoemaker, but having a peculiar turn of mind for religion, he went away from his master, and wandered up and down the country like a hermit in a leathern doublet; at length his friends hearing he was at London, persuaded him to return home, and settle in some regular course of employment; but after he had been some months in the country, he went from his friends a second time, in the year 1646, and threw off all farther attendance on the public service in the churches: the reasons he gave for his conduct were, because it was revealed to him, that a learned education at the university was no qualification for a minister, but that all depended on the anointing of the Spirit, and that God who made the world did not dwell in temples made with hands. In the year 1647, he travelled into Derbyshire and Nottinghamshire, walking through divers towns and villages, which way soever his mind turned, in a solitary manner. He fasted much (says my author), and walked often abroad in retired places, with no other companion but his Bible. He would sometimes sit in a hollow tree all day, and frequently walked about the fields in the night, like a man possessed with deep melancholy: which the writer of his life calls the "time of the first working of the Lord upon him\*." Towards the latter end of this year, he began first to set up for a teacher of others, about Duckinfield and Manchester; the principal argument of his discourse being, that people should receive the inward divine teachings of the Lord, and take that for their rule.

In the year 1648, there being a dissolution of all government both civil and ecclesiastical, George Fox waxed bold †, and tra-

earliest years. Virtuous and sober manners, a peculiar staidness of mind, and gravity of demeanour, marked his youth. His chief employment under his master, who also dealt in wool and cattle, was to keep sheep, which was well suited to his disposition both for innocence and solitude. He acquitted himself with a fidelity and diligence, that conducted much to the success of his master's affairs. It was a custom with him to ratify his dealing with the word *verily*; to which he so firmly and conscientiously adhered, that those who knew him would remark, "If George says *verily*, there is no altering." Mr. Neal's expression, "he went away from his master," may be understood as intimating a clandestine and dishonourable leaving his master's service: which was not the case. He did not begin his solitary travels, till after his apprenticeship was finished, and he had returned home to his parents. The leathern dress was adopted by him, on account of its simplicity and its durability, as it required little repairing, which was convenient to him in his wandering and unsettled course of life. Sewel's Hist. p. 6—12; and Gough's History of the Quakers, vol. 1. p. 60.—Ed.

\* Sewel's History of the Quakers, p. 6—12.

† The circumstances of this period, as stated by Gough, will shew the propriety of our author's language here, and preclude the suspicion that has fallen on him, of intending to insinuate that the boldness of George Fox was criminal, and that the dissolution of government had rendered him licentious. At this time the Independents and Republicans had accomplished their purpose: regal dominion, the peculiar privileges of the nobility, and the office of bishops, were abolished. Their professed principles were in favour of civil and religious liberty. The places of public worship seem, for a season, to have been open to teachers of different denominations, and not uncommonly appropriated to theological discussion and disputation between the teachers or members of various sects. These propitious circumstances furnished Fox and others with opportunities of disseminating their opinions: and a fair opportunity naturally inspires and emboldens to any undertaking. Gough's History, vol. 1. p. 72.—Ed.



velled through the counties of Leicester, Northampton, and Derby, speaking to the people in market-places, &c. about the inward light of Christ within them\*. At this time, says my author†, he apprehended the Lord had forbid him to put off his hat to any one, high or low; he was required also to speak to the people without distinction in the language of thou and thee. He was not to bid people good-morrow, or good-night; neither might he bend his knee to the chief magistrate in the nation; the women‡ that followed him would not make a courtesy to their superiors, nor comply with the common forms of speech. Both men and women affected a plain and simple dress, distinct from the fashion of the times. They neither gave nor accepted any titles of respect or honour, nor would they call any man master on earth. They refused to take an oath on the most solemn occasion. These and the like peculiarities, he supported by such passages of Scripture as these, "Swear not at all;" "How can ye believe who receive honour one of another, and seek not the honour which comes from God only?" But these marks of distinction which George Fox and his followers were so tenacious of, unhappily brought them into a great deal of trouble, when they were called to appear before the civil magistrate.

In the year 1649, he grew more troublesome, and began to interrupt the public ministers in time of divine service: his first essay of this kind was at Nottingham, where the minister preaching from these words of St. Peter, "We have a more sure word of prophecy," &c. told the people, that they were to try all doctrines, opinions, and religions, by the Holy Scriptures. Upon which George Fox stood up in the middle of the congregation and said, "Oh no! it is not the Scripture, but it is the Holy Spirit, by which opinions and religions are to be tried; for it was the Spirit that led people into all truth, and gave them the knowledge of it." And continuing his speech to the disturbance of the congregation, the officers were obliged to turn him out of the church, and carry him to the sheriff's house; next day he was committed to the castle, but was quickly released without any other punishment§.

\* The words of Sewel are, "that every man was enlightened by the divine light of Christ." The term used, by this historian, for the followers of Fox, is fellow-believers, without any reference to their sex; nor does his narrative shew, that they consisted more of women than men; which Mr. Neal's expression seems to intimate.—Ed.

† History of the Quakers, p. 18.

‡ See note \* of this page.

§ Mr. Neal's account of this imprisonment of George Fox is censured by a late historian, as not strictly true, nor supported by his authority, Sewel, and through a partial bias a very palliative narration. The fact more exactly and fully stated is this: That Fox was not taken immediately from the church to the sheriff's house, but to prison, and put into a place so filthy and intolerably noisome, that the smell thereof was very grievous to be endured. At night he was carried before the mayor, aldermen, and sheriffs, of the town, and after examination was recommitted. But one of the sheriffs, whose name was Reckless, being much affected with the sentiments he had advanced, removed him to his own house. During his residence there, Mr. Fox was visited by persons of considerable condition; the sheriff, as

After this he disturbed the minister of Mansfield in time of divine service, for which he was set in the stocks, and turned out of the town\*. The like treatment he met with at Market-Bosworth, and several other towns†. At length the magistrates of Derby confined him six months in prison, for uttering divers blasphemous opinions‡, pursuant to a late act of parliament for that purpose.

well as his wife and family, was greatly affected with his doctrine; insomuch that he and several others exhorted the people and the magistrates to repentance. This provoked the latter to remove Fox back to the common prison, where he lay till the assizes. When he was to have been brought before the judge, the officer was so dilatory in the execution of his business, that the court was broken up before he was conducted to it. He was, on this, again ordered into the common gaol, and detained there some time longer. As far as appears, he was imprisoned, detained in prison, and released, at the mere will and pleasure of the magistrates of Nottingham, without any legal cause assigned. "Such arbitrary exertion of power (well observes my author) ill agrees with a regard for chartered privileges and equal liberty." Gough's Hist. of the Quakers, vol. 1. p. 83, 84. Sewel's Hist. 21, 22.—Ed.

\* Mr. Neal is considered as passing over this treatment of Fox in too "cursory a manner:" and is blamed for placing his conduct in the most invidious light it would bear, disturbing the minister. But, surely, if Mr. Fox spoke while the minister was preaching, without waiting till he had finished his discourse, it was disturbing him by an unseasonable interruption. But this circumstance is not to be clearly ascertained by Sewel. The treatment which Fox met with was iniquitous and violent to an extreme degree. The hearers of the minister "converted the place of divine worship into a scene of lawless riot, and the time set apart for the service of God into an enormous abuse of a fellow-creature; manifesting their religion to be such (observes Mr. Gough with great propriety) at the time when it should most affect their minds, as admitted of injury, revenge, and violating the peace and order of society. For they assaulted Mr. Fox in a furious manner, struck him down, and beat him cruelly with their hands, bibles, and sticks, whereby he was grievously bruised. After they had thus vented their rage, they haled him out, and put him into the stocks, where he sat some hours: and then they took him before a magistrate, who, seeing how grossly he had been abused, after much threatening, set him at liberty. But still the rude multitude, insatiate in abuse, stoned him out of the town, though hardly able to go, or well to stand, by reason of their violent usage." It should be remarked here, that the magistrate's conduct was extremely culpable, in not inflicting a punishment on these disturbers of the peace, for this unjust and violent attack on a man who had done them no harm, but meant to do them good; and in not affording to him his protection. Gough's Hist. vol. 1. p. 84—86.—Ed.

† Sewel, p. 22.

‡ This was the language of the mittimus, by which Fox and another were committed to the house of correction; we regret that Mr. Neal should have adopted it, without giving his reader the grounds on which the severe epithet was applied to their opinions. After the service of a lecture, at which Mr. Fox had attended, was finished, he spoke what was on his mind, and was heard without molestation: when he had done, an officer took him by the hand, and carried him before the magistrates. Being asked, "why he came thither?" he answered, that "God had moved him to it:" and added, "that God did not dwell in temples made with hands; and that all their preaching, baptism, and sacrifices, would never sanctify them; but that they ought to look unto Christ in them, and not unto men, for it is Christ that sanctifies." As they were very full of words, sometimes disputing, and sometimes deriding, he told them, "they were not to dispute of God and Christ, but to obey him." At last they asked him, "if he was sanctified?" he replied, "Yes:" "if he had no sin?" his answer was, "Christ my Saviour hath taken away my sin, and in him there is no sin." To the next question, "How he and his friends knew Christ was in them?" he replied, "By his Spirit, which he hath given us." Then they were asked "if any of them were Christ?" to which insidious query he answered, "Nay, we are nothing; Christ is all." He was next interrogated, "If a man steal, is it no sin?" to which his reply was, "All unrighteousness is sin."



By this time there began to appear some other visionaries, of the same make and complexion with George Fox, who spoke in places of public resort; being moved, as they said, by the Holy Ghost; and even some women, contrary to the modesty of their sex, went about streets, and entered into churches, crying down the teaching of men, and exhorting people to attend to the light within themselves.

It was in the year 1650 that these wandering lights first received the denomination of Quakers, upon this ground, that their speaking to the people was usually attended with convulsive agitations, and shakings of the body. All their speakers had these tremblings, which they gloried in, asserting it to be the character of a good man to tremble before God. When George Fox appeared before Gervas Bennet, esq. one of the justices of Derby, October 30, 1650, he had one of his agitations, or fits of trembling, upon him, and with a loud voice and vehement emotion of body, bid the justice and those about him tremble at the word of the Lord; whereupon the justice gave him and his friends the name of Quakers, which being agreeable to their common behaviour, quickly became the distinguishing denomination of this people\*.

With what candour, with what propriety, with what truth, could the charge of blasphemy be grounded on these declarations, especially by the magistrates who examined and committed him? The names to the mittimus were Ger. Bennet and Nath. Barton: both of them were Independents, the latter an officer and preacher: men whose own tenets implied a supernatural influence, and admitted no interference of the civil magistrate in spiritual concerns, but were pointed in favour of universal toleration: one of whom could himself have no commission to preach but on the ground of God's moving him to it. These were the men who accused Fox of blasphemy, and imprisoned him: "a remarkable instance (observes Mr. Gough) of the inconsistency of men with themselves in different stations of life: a remarkable instance, it may be added, how the law may be wrested and justice perverted by passion and prejudice. Mr. Neal's manner of relating this transaction unhappily conceals the criminal conduct of these magistrates, and is too much calculated to perpetuate the prejudice which misled and governed them. Sewel's History, p. 24; and Gough's History, vol. 1. p. 90—94.—Ed.

\* The above paragraph has given great offence, and is severely censured by Mr. Gough, as "an opprobrious description approaching to scurrility." The plain fact, as it stands in Sewel, has none of those circumstances of agitations, a loud voice and vehement emotions, with which Mr. Neal has described it, and for which he has quoted no authority. Fox, according to Sewel, having bid the justice and those about him to "tremble at the word of the Lord," Mr. Bennet took hold of this weighty saying with such an airy mind, that from thence he took occasion to call him, and his friends, scornfully, Quakers. This name was eagerly taken up and spread among the people. As to the convulsive emotions with which, it is said, the preaching of these Christians was accompanied, it is but fair to hear their advocate. "We readily admit (says Mr. Gough) these promulgators of primitive Christianity had no university education, were not trained in schools of oratory. It was plain truth and righteousness they sought to follow and recommend in a plain simple way, without the studied decorations of fine language, or the engaging attractions of a graceful motion; they spoke not to the head, or to the eye, but to the hearts of their auditors. Being themselves animated, and deeply affected in spirit with the inward feeling of the power of that truth, to the knowledge of which they aimed to bring others, that thereby they might be saved; an unaffected warmth of zeal in recommending righteousness, and testifying against vice and wickedness, might produce a warmth of expression, and action also, which to an in-  
eye might appear convulsive: but their convulsions did not bereave them

At length they disturbed the public worship by appearing in ridiculous habits, with emblematical or typical representations of some impending calamity; they also took the liberty of giving ministers the reproachful names of hirelings, deceivers of the people, false prophets, &c. Some of them went through divers towns and villages naked, denouncing judgments and calamities upon the nation. Some have famished and destroyed themselves by deep melancholy; and others have undertaken to raise their friends from the dead. Mr. Baxter says\*, many Franciscan friars and other Papists have been disguised speakers in their assemblies; but little credit is to be given to such reports†.

It cannot be expected that such an unsettled people should have a uniform system of rational principles. Their first and chief design, if they had any, was to reduce all revealed religion to allegory; and because some had laid too great stress upon rites and ceremonies, these would have neither order nor regularity, nor stated seasons of worship, but all must arise from the inward impulse of their spirits. Agreeable to this rule, they declared against all sorts of clergy, or settled ministers; against people's assembling in steeple-houses; against fixed times‡ of public devotion, and consequently against the observation of the sabbath.

of understanding; they spake with the spirit and with the understanding also, of things which they knew, and testified of things which they had seen. And their doctrine was often effectual to open the understanding of their hearers, to see clearly the state of their minds, both what they were and what they ought to be." Gough's History, vol. 1. p. 96, note.—Ed.

\* Baxter's Life, p. 77.

† If but little credit is to be given to such reports, it may be asked, why are they introduced: when, if not refuted, they tend to mislead the reader, and to fix a reproach on an innocent people? Is it becoming the candour and dignity of an historian, by recording, to appear to give them a sanction? As to the case in hand, Mr. Baxter, on whose authority Mr. Neal speaks, though he was a great and excellent man, was not entirely exempt from the influence of prejudice and credulity. In general, stories to the discredit of a new, despised, and hated sect, are often eagerly adopted and spread with circumstances of aggravation. So it happened to the first Christians. This has befallen the Methodists in our times. And the Quakers, being particular objects of priestly indignation, had reason to complain of this. They were often confounded with an ephemeron sect, whose principles were totally incompatible with theirs, called Ranters, and whose practices outraged all decency and order. An active preacher amongst the Quakers, Mr. Edward Burroughs, and the celebrated Barclay, wrote against the practices of these people. Gough's History, vol. 1. p. 128, 129, note; and vol. 3. p. 15.—Ed.

‡ This is not accurate, or is applicable only to the infancy of the sect. For, though they did not esteem one house more holy than another, and believed all times equally the Lord's, and that all days should be sabbaths or times of continual rest and abstinence from evil; yet as soon as their numbers were sufficient for the purpose, they held fixed and regular meetings for worship, particularly on the first day of the week, which they chose as more convenient, because more generally accepted than any other. In 1634, meetings were settled in many places in the north, and also in the city of London, which were held in private houses, till the body growing too large to be accommodated in them, a house known by the name of Bull-and-Mouth, in Martin's-Le-Grand, near Aldersgate-street, was hired for a meeting-house. And no body of Christians were more open, steady, and regular, than they have been in their public associations for worship or discipline, Sewel's History, p. 80. 84. Gough's Hist. vol. 1. p. 144 and 509.—Ed.



Their own meetings were occasional, and when they met, one or another spake as they were moved from within, and sometimes they departed without any one's being moved to speak at all.

The doctrines they delivered were as vague and uncertain\* as the principles from which they acted. They denied the Holy Scriptures to be the only rule of their faith, calling it a dead letter, and maintaining that every man had a light within himself, which was a sufficient rule. They denied the received doctrine of the Trinity and incarnation. They disowned the sacraments of baptism and the Lord's supper; nay, some of them proceeded so far as to deny a Christ without them; or at least, to place more of their dependence upon a Christ within. They spake little or nothing, says Mr. Baxter†, about the depravity of nature; about the covenant of grace; about pardon of sin, and reconciliation with God: or about moral duties‡. But the disturbance they gave to the public religion for a course of years was so insufferable, that the magistrates could not avoid punishing them as disturbers

\* The account which Mr. Neal gives of the sentiments and practices of the Quakers in this and the preceding paragraph, is not drawn up with the accuracy and precision, not to say candour, which should mark the historic page. It has too much the appearance of the loose desultory representation, which those who had not investigated their principles, nor looked into their writings, would exhibit of this sect. It is, I think, introduced at an improper place, in too early a period of their history; when Mr. Neal himself has related only what concerned George Fox, and before his followers were formed into a body. At that time it was not to be expected, that their principles should be made into a system; and their doctrines being delivered as the assertions of individuals only, and deriving their complexion from their different tastes, capacities, and views, would to the public eye wear the aspect of variety and uncertainty. But long before Mr. Neal wrote, their principles had assumed a systematic form. Penn had published his Key, and Robert Barclay his Catechism and Confession of Faith, and that elaborate work his Apology. The propositions illustrated and defended in this treatise exhibit a concise view of the chief principles of the Quakers; and that they may speak for themselves we will give them in the Appendix, No. 12.—Ed.

† Baxter, p. 77.

‡ This quotation is not correct. Mr. Baxter's words, concerning the strain of their preaching, are these: "They speak much for the dwelling and working of the Spirit in us; but little of justification, and the pardon of sin, and our reconciliation with God through Jesus Christ." Here is nothing said about their neglecting to insist on "moral duties." The great object of Fox's zeal, we are told, was a heavenly temper and a life of righteousness: and his endeavours to propagate true religion and righteousness were not confined to public or private meetings, but exerted in other places as occasion offered; particularly, in courts of judicature, to admonish to justice, and caution against oppression: in markets, to recommend truth, candour, and fair dealings, and to bear his testimony against fraud and deceitful merchandize; at public houses of entertainment, to warn against indulging intemperance, by supplying their guests with more liquor than would do them good: at schools and in private families, to exhort to the training up of children and servants to sobriety, in the fear of their Maker; to testify against vain sports, plays, and shows, as tending to draw people into vanity and libertinism, and from that state of circumspection and attentive consideration, wherein our salvation is to be wrought out, forewarning all of the great day of account for all the deeds done in the body. This was certainly insisting on moral duties, and bringing home the principles of righteousness to the various circumstances of human life, with much propriety and energy. Gough's History, vol. 1. p. 67. 75.—Ed.

of the peace; though of late they are become a more sober and inoffensive people; and by the wisdom of their managers, have formed themselves into a sort of body politic, and are in general very worthy members of society.

## CHAPTER II.

FROM THE CORONATION OF KING CHARLES II. IN SCOTLAND,  
TO THE PROTECTORSHIP OF OLIVER CROMWELL. 1651.

THE coronation of king Charles by the Scots, which had been deferred hitherto, being now thought necessary to give life to their cause, was solemnised at Scone on New-year's-day 1651, with as much magnificence as their circumstances would admit\*; when his majesty took the following oath: "I Charles, king of Great Britain, France, and Ireland, do assure and declare by my solemn oath, in the presence of Almighty God, the searcher of all hearts, my allowance and approbation of the national covenant, and of the solemn league and covenant; and faithfully oblige myself to prosecute the ends thereof in my station and calling; and that I myself and successors shall consent and agree to all the acts of parliament enjoining the national covenant, and the solemn league and covenant, and fully establish Presbyterian government, the directory of worship, confession of faith, and catechisms, in the kingdom of Scotland, as they are approved by the general assembly of this kirk, and parliament of this kingdom; and that I will give my royal word and assent to all acts of parliament passed, or to be passed, enjoining the same in my other dominions; and that I shall observe these in my own practice and family, and shall never make opposition to any of these, or endeavour any change thereof." This oath was annexed to the covenant itself, drawn up on a fair roll of parchment, and subscribed by him in the presence of the nobility and gentry†.

His majesty also signed a declaration, in which he acknowledged the sin of his father in marrying into an idolatrous family; and that the blood shed in the late wars lay at his father's door‡. He expressed a deep sense of his own ill education, and of the prejudices he had drunk in, against the cause of God, of which he was now very sensible. He confessed all the former parts of his life to have been a course of enmity to the word of God. He repented of his commission to Montrose. He acknowledged his own sins, and the sins of his father's house, and says, he will account them

\* The ceremonial of this coronation is given at length by Dr. Grey, vol. 3. p. 111—124.—*Ed.*

† Oldmixon's *History of the Stuarts*, p. 391.

‡ *History of the Stuarts*, p. 387. Burnet, vol. 1. p. 78. *Edinb. edit.*



his enemies who oppose the covenants, both which he had taken without any sinister intention of attaining his own ends. He declares his detestation and abhorrence of all Popery, superstition, idolatry, and prelacy, and resolves not to tolerate them in any part of his dominions. He acknowledges his great sin in making peace with the Irish rebels, and allowing them the liberty of their religion, which he makes void, resolving for the future rather to choose affliction than sin; and though he judges charitably of those who have acted against the covenant, yet he promises not to employ them for the future till they have taken it. In the conclusion, his majesty confesses over again his own guilt; and tells the world, the state of the question was now altered, inasmuch as he had obtained mercy to be on God's side, and therefore hopes the Lord will be gracious, and countenance his own cause, since he is determined to do nothing but with advice of the kirk.

Our historians, who complain of the prevarication of Cromwell, would do well to find a parallel to this in all history; the king took the covenant three times with this tremendous oath, "By the Eternal and Almighty God, who liveth and reigneth for ever, I will observe and keep all that is contained herein." Mr. Baxter admits\*, that the Scots were in the wrong in tempting the young king to speak and publish that, which they might easily know was contrary to the thoughts of his heart; but surely his majesty was no less to blame, to trample upon the most sacred bonds of religion and society. He complied with the rigours of the Scots discipline and worship: he heard many prayers and sermons of great length. "I remember (says bishop Burnet †) in one fast-day, there were six sermons preached without intermission. He was not allowed to walk abroad on Sundays; and if at any time there had been any gaiety at court, as dancing, or playing at cards, he was severely reprov'd for it, which contributed not a little to beget in him an aversion to all strictness in religion." And the Scots were so jealous that all this was from necessity, that they would suffer none of his old friends to come into his presence and councils, nor so much as to serve in the army.

While the Scots were raising forces for the king's service, a private correspondence was carried on with the English Presbyterians; letters were also written, and messengers sent, from London to the king and queen-mother in France, to hasten an accommodation with the Scots, assuring them, that the English Presbyterians would then declare for him the first opportunity.

\* "It seemed to me and many others (says Mr. Baxter), that the Scots miscarried divers ways: 1. In imposing laws upon their king, for which they had no authority: 2. In forcing him to dishonour the memory of his father by such confessions: 3. In tempting him to speak and publish that which they might easily know was contrary to his heart, and so to take God's name in vain: 4. And in giving Cromwell occasion to charge them all with dissimulation." *Baxter's Life*, p. 66.—Ed.

† P. 73.

Considerable sums of money were collected privately to forward an expedition into England; but the vigilance of the commonwealth discovered and defeated their designs. The principal gentlemen and ministers concerned in the correspondence, were some disbanded officers who had served the parliament in the late wars; as major Adams, Alford, and Huntington; colonel Vaughan, Sowton, Titus, Jackson, Bains, Barton; captain Adams, Potter, Far, Massey, Starks; and Mr. Gibbons. The ministers were, Dr. Drake, Mr. Case, Watson, Heyrick, Jenkins, Jackson, Jacquell, Robinson, Cawton, Nalson, Haviland, Blackmore, and Mr. Love. These had their private assemblies at major Adams's, colonel Barton's, and at Mr. Love's house, and held a correspondence with the king, who desired them to send commissioners to Breda to moderate the Scots demands, which service he would reward when God should restore him to his kingdoms.

But so numerous a confederacy was hardly to be concealed from the watchful eyes of the new government, who had their spies in all places. Major Adams, being apprehended on suspicion, was the first who discovered the conspiracy to the council of state. On his information warrants were issued out for apprehending most of the gentlemen and ministers above mentioned; but several absconded, and withdrew from the storm. The ministers who were apprehended were, Dr. Drake, Mr. Jenkins, Jackson, Robinson, Watson, Blackmore, and Haviland, who after some time were released on their petition for mercy, and promising submission to the government for the future; but Mr. Love and Gibbons were made examples, as a terror to others. Mr. Jenkins's petition being expressed in very strong terms\*, was ordered to be printed; it was entitled, "The humble petition of William Jenkins, prisoner, declaring his unfeigned sorrow for all his late miscarriages, and promising to be true and faithful to the present government; with three queries, being the ground of his late petition, and submission to the present powers."

The reverend Mr. Love was brought before a new high court of justice erected for this purpose, as was the custom of these times for state criminals, when Mr. Attorney-general Prideaux, June 20, exhibited against him the following charge of high-treason: "that at several times in the years 1649, 1650, and 1651, and in several places, he, with the persons above mentioned, had maliciously combined and contrived to raise forces against the

\* The most remarkable positions in this petition were: That the parliament, without the king, were the supreme authority of the nation: that God's providences are antecedent declarations of his will and approbation; and appeared as evidently in removing the king and investing their honours with the government, as in taking away and bestowing any government in any history of any age of the world: that the refusal of subjection to their authority was such an opposing the government set up by the sovereign Lord of heaven and earth, as none can have peace either in acting or suffering for: and that it was a duty to yield to this authority all active and cheerful obedience, in the Lord, for conscience' sake. Dr. Grey's Remarks, vol. 3, p. 127.—Ed.



present government—that they had declared and published Charles Stuart, eldest son of the late king, to be king of England, without consent of parliament—that they had aided the Scots to invade this commonwealth—that the said Christopher Love, at divers times between the 29th of March 1650, and the first of June 1651, at London and other places, had traitorously and maliciously maintained correspondence and intelligence by letters and messages with Charles Stuart, son of the late king, and with the queen his mother, and with sundry of his council—that he did likewise hold correspondence with divers of the Scots nation, and had assisted them with money, arms, and other supplies, in the present war, as well as colonel Titus and others of the English nation, in confederacy with them, to the hazard of the public peace, and in breach of the laws of the land.”—

To this charge Mr. Love, after having demurred to the jurisdiction of the court, pleaded Not guilty. The witnesses against him were eight of the above-mentioned gentlemen. The reverend Mr. Jackson was summoned, but refused to be sworn, or give evidence, because he looked on Mr. Love to be a good man; saying, he should have a hell in his conscience to his dying day, if he should speak any thing that should be circumstantially prejudicial to Mr. Love's life. The court put him in mind of his obligation to the public, and that the very safety of all government depended upon it. But he refused to be sworn, for which the court sent him to the Fleet, and fined him 500*l*.

But it appeared by the other witnesses, that Mr. Love had carried on a criminal correspondence both with the king and the Scots. With regard to the king it was sworn, that about a month after his late majesty's death, several of them met at a tavern at Dowgate, and other places, to concert measures to forward the king's agreement with the Scots, for which purpose they applied by letters to the queen, and sent over colonel Titus with 100*l*. to defray his expenses. The colonel, having delivered his message, sent back letters by colonel Alsford, which were read in Mr. Love's house; with the copy of a letter from the king himself, Mr. Love being present. Upon these and such-like facts, the council for the commonwealth insisted, that here was a criminal correspondence to restore the king, contrary to the ordinance of January 30, 1648, which says, “that whosoever shall proclaim, declare, publish, or any ways promote Charles Stuart, or any other person, to be king of England, without consent of parliament, shall be adjudged a traitor, and suffer the pains of death as a traitor.”

The other branch of the charge against Mr. Love, was his correspondence with the Scots, and assisting them in the war against the parliament. To support this article, captain Potter, Adams, and Mr. Jacquel, swore, that letters came from Scotland to colonel Bamfield with the letter L upon them, giving a large narrative of the fight at Dunbar, and of the Scots affairs for three months after

till Christmas. There came also letters from the earl of Argyle, Lothian, and Loudon, who proposed the raising 10,000*l.* to buy arms, and to hire shipping, in order to land five thousand men in England. The letters were read at Mr. Love's house; but the proposal being disliked, only 40*l.* was raised for the expenses of the messenger. At another time a letter was read from general Massey, in which he desires them to provide arms, and mentions his own and colonel Titus's necessities; upon which it was agreed to raise 2 or 300*l.* by way of contribution, and every one present wrote down what he would lend, among whom was Mr. Love, who not only contributed himself, but carried about the paper to encourage others. This was construed, by the council for the commonwealth, sufficient to bring Mr. Love within the ordinance of July 1, 1649, which says, "that if any shall procure, invite, aid, or assist, any foreigners or strangers to invade England or Ireland; or shall adhere to any forces raised by the enemies of the parliament, or commonwealth, or keepers of the liberties of England, all such persons shall be deemed and adjudged guilty of high-treason."

Mr. Love in his defence behaved with a little too much freedom and boldness; he set too high a value upon his sacred character, which the court was inclined to treat with neglect. He objected to the witnesses, as being forced into the service to save their lives. He observed, that to several of the facts there was only one witness; and that some of them had sworn falsely, or at least their memories had failed them in some things; which might easily happen at so great a distance of time. He called no witnesses to confront the evidence, but at the close of his defence confessed ingenuously, that there had been several meetings of the above-named persons at his house, that a commission was read, but that he had dissented from it. He acknowledged farther, that he was present at the reading of letters, or of some part of them, "but I was ignorant (says he) of the danger that I now see I am in. The act of August 2, 1650, makes it treason to hold any correspondence with Scotland, or to send letters thither though but in a way of commerce, the two nations being at war; now here my counsel acquaints me with my danger, that I being present when letters were read in my house, am guilty of a concealment, and therefore as to that, I humbly lay myself at your feet and mercy."

And to move the court to shew mercy to him, he endeavoured to set out his own character in the most favourable light: "I have been called a malignant and apostate (says he), but, God is my witness, I never carried on a malignant interest; I shall retain my covenanting principles, from which by the grace of God I will never depart; neither am I an incendiary between the two nations of England and Scotland, but I am grieved for their divisions; and if I had as much blood in my veins as there is water in the sea, I could account it well spent to quench the fire that our sins have kindled between them. I have all along engaged



Tower-hill, August 22, the very day the king entered Worcester at the head of his Scots army. Mr. Love mounted the scaffold with great intrepidity and resolution, and taking off his hat two several times to the people, made a long speech, wherein he declares the satisfaction of his mind in the cause for which he suffered; and then adds, "I am for a regulated, mixed monarchy, which I judge to be one of the best governments in the world. I opposed in my place the forces of the late king, because I am against screwing up monarchy into tyranny, as much as against those who would pull it down into anarchy. I was never for putting the king to death, whose person I did promise in my covenant to preserve; and I judge it an ill way of curing the body politic, by cutting off the political head. I die with my judgment against the engagement; I pray God forgive them that impose it, and them that take it, and preserve them that refuse it. Neither would I be looked upon as owning this present government; I die with my judgment against it. And lastly, I die cleaving to all those oaths, vows, covenants, and protestations, that were imposed by the two houses of parliament. I bless God I have not the least trouble on my spirit, but I die with as much quietness of mind as if I was going to lie down upon my bed to rest. I see men thirst after my blood, which will but hasten my happiness and their ruin; for though I am but of mean parentage, yet my blood is the blood of a Christian, of a minister, of an innocent man, and (I speak it without vanity) of a martyr. —I conclude with the speech of the apostle: 'I am now ready to be offered up, and the time of my departure is at hand, but I have finished my course, I have kept the faith: henceforth there is laid up for me a crown of righteousness—and not for me only, but for all them that love the appearance of our Lord Jesus Christ,' through whose blood I expect salvation, and remission of sins. And so the Lord bless you all."

After this he prayed with an audible voice for himself and his fellow-sufferer Mr. Gibbon, for the prosperity of England, for his covenanting brethren in Scotland, and for a happy union between the two nations, making no mention of the king. He then rose from his knees, and having taken leave of the ministers, and others who attended him, he laid his head upon the block, which the executioner took off at one blow, before he had attained the age of forty years\*. Mr. Love was a zealous Presbyterian, a popular

\* Mr. Love was born at Cardiff in Glamorganshire: became a servitor of New-Inn, Oxford, 1635, aged seventeen. In 1642 he proceeded master of arts. He was, at the beginning of his ministry, preacher to the garrison of Windsor, then under the command of colonel John Venn, and was called by the royalists Venn's principal fireman at Windsor. He was, afterward, successively minister of St. Ann's near Aldersgate, and St. Lawrence-Jewry, in London. He was the author of sermons and some pieces of practical divinity, which gained him a considerable reputation. He was buried with great lamentation on the north side of the chancel of St. Lawrence-Jewry. Wood's *Athen. Oxon.* vol. 2. p. 74; and Granger's *History*, vol. 3. p. 48, 8vo.—ED.

preacher, and highly esteemed by his brethren. His funeral sermon was preached by Dr. Manton, and published under the title of "The saints' triumph over death;" but his memory has suffered very much by lord Clarendon's character \*; who represents him as guilty of as much "treason against the late king as the pulpit could contain; and delighting himself with the recital of it to the last, as dying with false courage, or (as he calls it) in a raving fit of satisfaction, for having pursued the ends of the sanctified obligation, the covenant, without praying for the king, any farther than he propagated the covenant."

To return to more public affairs. "After the battle of Dunbar, general Cromwell, through the inclemency of the weather, and his great fatigues, was seized with an ague which hung upon him all the spring, but as the summer advanced he recovered, and in the month of July marched his army towards the king's at Stirling; but not thinking it advisable to attempt his camp, he transported part of his forces over the frith into Fife, who upon their landing defeated the Scots, killing two thousand, and taking twelve hundred prisoners. After that, without waiting any longer on the king, he reduced Johnstown, and almost all the garrisons in the north."

While the general was employed in these parts, the Scots committee, that directed the marches of their army, fearing the storm would quickly fall upon themselves, resolved to march their army into England, and try the loyalty of the English Presbyterians; for this purpose colonel Massey was sent before into Lancashire, to prepare them for a revolt; and the king himself entered England by the way of Carlisle, August 6, at the head of sixteen thousand men; but when the committee of ministers that attended the army, observed that the king and his friends, upon their entering England, were for dropping the covenant, they sent an express to Massey without the king's knowledge (says lord Clarendon †), requiring him to publish a declaration, to assure the people of their resolution to prosecute the ends of the covenant. The king had no sooner notice of this, but he sent to Massey, forbidding him to publish the declaration, and to behave with equal civility towards all men who were forward to serve him; "but before this inhibition (says his lordship), the matter had taken air in all places, and was spread over the whole kingdom, which made all men fly from the houses, or conceal themselves, who wished the king well." But his lordship is surely mistaken, for the king's chief hopes under Massey were from the Presbyterians, who were so far from being displeased with his majesty's declaring for the covenant, that it gave them all the spirit he could wish for; but when it was known that the covenant was to be laid aside, Massey's measures were broken, many of the Scots deserted and returned home; and not one in ten of the English would

\* Vol. 3. p. 434.

† Vol. 3. p. 400. 406.



hazard his life in the quarrel \*. Mr. Baxter †, who was a better judge of the temper of the people than his lordship, "the English knew that the Scots coming into England was a flight than a march. They considered likewise, that the placable cavaliers had made no preparation of the people's minds by proposing any terms of a future reconciliation. That the latitudinal divines were gone farther from the Presbyterians by Hammond's new way, than their predecessors; and that the king contended for being not concord but government, they given the Presbyterian clergy and people no hopes of finding abatement of their former burdens; and it is hard to persuade men to venture their lives in order to bring themselves in prison or banishment." However, these were the true reasons says Mr. Baxter, that no more came into the king at present and had the Presbyterians observed them at the Restoration, they had made better terms for themselves than they did.

The parliament at Westminster were quickly advised of the king's march, and by way of precaution expelled all delinquents out of the city; they raised the militia; they mustered the train bands, to the number of fourteen thousand; and in a few weeks had got together an army of near sixty thousand brave soldiers. Mr. Echard ‡ represents the parliament as in a terrible panic and projecting means to escape out of the land; whereas in reality, the unhappy king was the pity of his friends, and the contempt of his enemies. General Cromwell sent an express to the parliament, to have a watchful eye over the Presbyterians who were in confederacy with the Scots, and told them, that the reason of his not interposing between the enemy and English was, because he was resolved to reduce Scotland effectually before winter. He desired the house to collect their forces together and make the best stand they could till he could come up with the enemy, when he doubted not but to give a good account of them. At the same time he sent major-general Lambert with a strong body of horse to harass the king's forces, whilst himself with the body of the army, hastened after, leaving lieutenant-general Monk with a sufficient force to secure his conquests, and reduce the rest of the country, which he quickly accomplished. Bishop Burnet says §, there was an order and discipline among the English, and a face of gravity and piety, that amazed all people; most of them were Independents and Baptists but all gifted men, and preached as they were moved, but never above once disturbed the public worship.

The earl of Derby was the only nobleman in England who raised fifteen hundred men for the young king, who before he could join the royal army, was defeated by colonel Lilburne near Wigan in Lancashire, and his forces entirely dispersed. The earl being wounded retired into Cheshire, and from thence

\* Rapin, vol. 2. p. 585, folio.

† Life, p. 68.

‡ P. 689.

§ P. 80

got to the king, who had marched his army as far as Worcester, which opened its gates, and gave him an honourable reception; from thence his majesty sent letters to London, commanding all his subjects between the age of sixteen and sixty to repair to his royal standard; but few had the courage to appear, the parliament having declared all such rebels, and burnt the king's summons by the hands of the common hangman. His majesty's affairs were now at a crisis. Lambert was in his rear with a great body of horse, and Cromwell followed with ten thousand foot, which, together with the forces that joined him by order of parliament, made an army of thirty thousand men. The king, being unable to keep the field, fortified the city of Worcester, and encamped almost under the walls. September 3, Cromwell attacked Powick-bridge, within two miles of the city, which drew out the king's forces and occasioned a general battle, in which his majesty's army was entirely destroyed; four thousand being slain, seven thousand taken prisoners, with the king's standard, and one hundred and fifty-eight colours. Never was a greater rout and dispersion, nor a more fatal blow to the royal cause. The account which the general gave to the parliament was, "that the battle was fought with various success for some hours, but still hopeful on our part, and in the end became an absolute victory, the enemy's army being totally defeated, and the town in our possession, our men entering at the enemy's heels, and fighting with them in the streets, took all their baggage and artillery. The dispute was long and very often at push of pike from one defence to another. There are about six or seven thousand prisoners, among whom are many officers and persons of quality. This, for aught I know, may be a crowning mercy." All possible diligence was used to seize the person of the king; it was declared high-treason to conceal him, and a reward of 1000*l.* was set upon his head; but Providence ordained his escape, for after he had travelled up and down the country six or seven weeks, under various disguises, in company with one or two confidants, and escaped a thousand dangers, he got a passage across the channel at Brighthelmstone in Sussex, and landed at Dieppe in Normandy, October 21, the morning after he embarked; from whence he travelled by land to Paris, where his mother maintained him out of her small pension\* from the court of France.

The hopes of the royalists were now expiring, for the islands of Guernsey and Jersey, with all the British plantations in America, were reduced this summer to the obedience of the par-

\* This must be understood only of the king's first arrival: for her pension was so small and so ill paid, that when cardinal de Retz visited her on a time in the month of January, the princess Henrietta could not rise for want of a fire. When her son arrived, she had not money enough to buy him a change of linen for the next day. The French court was obliged to provide for his necessities, and settled on him a pension of six thousand livres per month. Dr. Grey, vol. 3. p. 134, 135. Clarendon's History, vol. 3. p. 441.—Ed.



liament, insomuch that his majesty had neither fort nor castle nor a foot of land in all his dominions. The liturgy of the church of England was also under a total eclipse, the use of it being forbid not only in England, but even to the royal family in France, which had hitherto an apartment in the Louvre separated to that purpose; but after the battle of Worcester an order was sent from the queen regent to shut up the chapel, it being the king's pleasure not to permit the exercise of any religion but the Roman Catholic in any of his houses; nor could chancellor Hyde obtain more than a bare promise, that the queen of England would use her endeavours, that the Protestants of the family should have liberty to exercise their devotions in some private room belonging to the lodgings.

Upon the king's arrival in France he immediately threw off the mask of a Presbyterian, and never went once to the Protestant church at Charenton, though they invited him in the most respectful manner; but lord Clarendon dissuaded him, because the Hugonots had not been hearty in his interest, and because it might look disrespectful to the old church of England. In truth, there being no farther prospect of the king's restoration by the Presbyterians, the eyes of the court were turned to the Roman Catholics, and many of his majesty's retinue changed their religion, as appears by the *Legenda Ligneæ*, published about this time, with a list of fifty-three new converts, among whom were the following names in red capitals: the countess of Derby, lady Kilminchin, Lord Cottington, sir Marm. Langdale, sir Fr. Doddington, sir Theoph. Gilby, captain Tho. Cook, Tho. Vane, D. D., De Cressy, prebendary of Windsor, Dr. Bayley, Dr. Cosins, junior, D. Goffe, and many others, not to mention the king himself, of whom father Huddleston his confessor writes in his treatise, entitled, "A short and plain Way to the Faith of the Church," published 1685, that he put it into the king's hands in his retirement, and that when his majesty had read it, he declared he could not see how it could be answered\*. Thus early, says a learned prelate of the church of England, was the king's advance towards Popery, of which we shall meet with a fuller demonstration hereafter†.

General Monk, whom Cromwell left in Scotland with six thousand men, quickly reduced that kingdom, which was soon after united to the commonwealth of England, the deputies of the several counties consenting to be governed by authority of parliament, without a king or house of lords‡. The power of the kirk was likewise restrained within a narrow compass; for though they had liberty to excommunicate offenders, or debar them the communion, they might not seize their estates, or deprive them of their civil rights and privileges. No oaths or covenants were to

\* Clarendon, vol. 3. p. 444.

† Kennet, p. 200. 210. Rapin, vol. 2. p. 586, folio.

‡ Whitelocke, p. 498, 503, 504.

be imposed but by direction from Westminster; and as all fitting encouragement was to be given to the ministers of the established kirk, so others not satisfied with their form of church-government had liberty to serve God after their own manner; and all who would live peaceably, and yield obedience to the commonwealth, were protected in their several persuasions. This occasioned a great commotion among the clergy, who complained of the loss of their covenant, and church-discipline; and exclaimed against the toleration, as opening a door to all kinds of error and heresy; but the English supported their friends against all opposition.

The laird of Drum, being threatened with excommunication for speaking against the kirk, and for refusing to swear that its discipline was of divine authority, fled to the English for protection, and then wrote the assembly word, that their oppression was equal to that of the late bishops, but that the commonwealth of England would not permit them to enslave the consciences of men any longer. The presbytery would have proceeded to extremities with him, but Monk brandished his sword over their heads, and threatened to treat them as enemies to the state, upon which they desisted for the present\*. Soon after this, commissioners, chiefly of the Independent persuasion, were sent into Scotland, to visit the universities, and to settle liberty of conscience in that kingdom, against the coercive claim of the kirk, by whose influence a declaration was presented to the assembly at Edinburgh, July 26, in favour of the congregational discipline, and for liberty of conscience; but the stubborn assembly-men, instead of yielding to the declaration, published a paper called a "Testimony against the present encroachments of the civil power upon the ecclesiastical jurisdiction," occasioned by a proclamation of the English commissioners appointing a committee for visiting their universities, which they take to be a special flower of the kirk-prerogative. The synod of Fife also protested against the public resolutions of the civil power; but the sword of the English kept them in awe; for when the synod of Perth cited before them several persons for slighting the admonitions of the kirk, Mr. Whitelocke says†, that upon the day of appearance, their wives, to the number of about one hundred and twenty, with clubs in their hands, came and besieged the church where the synod sat; that they abused one of the ministers who was sent out to treat with them, and threatened to excommunicate them; and that they beat the clerk and dispersed the assembly; upon which thirteen of the ministers met at a village about four miles distant, and having agreed that no more synods should be held in that place, they pronounced the village accursed. When the general assembly met again at Edinburgh next summer, and were just entering upon business, lieutenant-colonel Cotterel went into the church, and standing up upon one of the benches, told them that

\* Whitelocke, p. 500, 505, 515.

† P. 511, 512.



no ecclesiastical judicatories were to sit there, but by authority of the parliament of England; and without giving them leave to reply, he commanded them to retire, and conducted them out of the west gate of the city with a troop of horse and a company of foot; and having taken away the commissioners from their several classes, enjoined them not to assemble any more above three in a company.

But with all these commotions, bishop Burnet observes\*, that the country was kept in great order; the garrisons in the highlands observed an exact discipline, and were well paid, which brought so much money into the kingdom, that it continued all the time of the usurpation in a flourishing condition; justice was carefully administered, and vice was suppressed and punished; there was a great appearance of devotion; the sabbath was observed with uncommon strictness; none might walk the streets in time of divine service, nor frequent public-houses; the evenings of the Lord's days were spent in catechising their children, singing psalms, and other acts of family devotion, insomuch that an acquaintance with the principles of religion, and the gift of prayer, increased prodigiously among the common people.

The war being now ended, the parliament published an act of indemnity for all crimes committed before June 30, 1648, except pirates, Irish rebels, the murderers of Dr. Dorislaus and Mr. Ascham, and some others, provided they laid hold of it, and took the engagement before February 1, 1652. In the course of the year they chose a new council of state out of their own body for the next year, and continued themselves, instead of dissolving and giving way to a new parliament; the neglect of which was their ruin.

On the 26th of September lieutenant-general Ireton died at Limerick in Ireland, after he had reduced that city to the obedience of the commonwealth. He was bred to the law, and was a person of great integrity, bold and intrepid in all his enterprises, and never to be diverted from what he thought just and right by any arguments or persuasions. He was a thorough commonwealth's man. Bishop Burnet says, he had the principles and temper of a Cassius†, and was most liberal in employing his purse and hazarding his person in the service of the public. He died in the midst of life, of a burning fever‡, after ten days'

\* History, vol. 1. p. 84, Edin. edition.

† Ibid. p. 63.

‡ Lord Clarendon ascribes the death of Ireton to the infection of the plague, which was gotten into his army. He was of Trinity-college in Oxford, and on leaving the university he studied at the Middle-Temple. He and Lambert distinguished themselves at the battle of Naseby, and were both concerned in drawing up the remonstrance of the army to the parliament. Ireton had the greatest hand in preparing the ordinance for the king's trial, and the precept for proclaiming the high court of justice, in which he sat as a judge. His authority was so great, that he was entirely submitted to in all the civil as well as martial affairs: though his parts were considered by some as more fitted for modelling a government, than for the conduct of an army. The Oxford historian describes him as of a turbulent and saucy disposition, nurtured to mischief, and a profound thorough-paced dis-

sickness. His body being brought over into England was laid in state at Somerset-house, and buried in Westminster-abbey with a pomp and magnificence suited to the dignity of his station; but after the Restoration of the royal family, his body was taken out of the grave with Cromwell's, and buried under the gallows.

About the same time died Mr. Francis Woodcock, born in Chester 1613, and educated in Brazen-nose-college, Oxford, where he took a degree in arts, entered into orders, and had a cure of souls bestowed upon him\*. In the beginning of the civil wars he sided with the parliament, and was one of the assembly of divines, being then lecturer of St. Lawrence-Jewry. He was afterward, by ordinance of parliament dated July 10, 1646, made parson of St. Olave's, Southwark; having the esteem of being a good scholar, and an excellent preacher. He died in the midst of his days and usefulness, *ætatis* thirty-eight.

Mr. George Walker proceeded B. D. in St. John's college, Cambridge. He was famous for his skill in the oriental languages, and was an excellent logician and theologian; being very much noted for his disputations with the Jesuit Fisher, and others of the Romish church; and afterward for his strict Sabbatarian principles. He was a member of the assembly of divines, where he gained great reputation by his munificent and generous behaviour.

Mr. Thomas Wilson was born in Cumberland 1601, and educated in Christ's college, Cambridge, where he proceeded in arts. He was first minister of Capel in Surrey, and after several other removes fixed at Maidstone in Kent, where he was suspended for refusing to read the book of sports, and not absolved till the Scots troubles in 1639. In 1643, he was appointed one of the assembly of divines, at Westminster, being reputed a good linguist, and well read in ancient and modern authors. He was of a robust constitution, and took vast pains in preaching and catechising; he had a great deal of natural courage, and was in every respect a cheerful and active Christian, but he trespassed too much upon his constitution, which wore him out when he was little more than fifty years old. He died com-

sembler under the mask of religion. His corpse was carried from the ship, in which it was brought to Bristol, in a hearse of velvet, attended by the mayor, aldermen, and council, in their formalities, and the governor and officers to the castle: from whence it was removed to London with great pomp. The parliament settled on his widow and children 2000*l.* per ann. out of the lands belonging to George, duke of Bucks. His daughter, who married Thomas Bendish, esq. of Gray's-Inn, was a most singular character, and bore a greater resemblance, in countenance and dispositions, to her grandfather, Oliver Cromwell, than did any of his descendants. A curious sketch of her character, drawn by the Rev. Samuel Say, is preserved in the second volume of "Letters" published by Mr. Duncombe. Dr. Grey, vol. 3. p. 141, &c. Lord Clarendon's History, vol. 3. p. 467. Wood's Athen. Oxon. p. 81, 82. Whitelocke's Mem. p. 491, 494; and Granger's History, vol. 2. p. 259, and vol. 3. p. 16, 17.—Ed.

\* Athen. Oxon. vol. 2. p. 81, 82.



fortably and cheerfully towards the end of the year 1651. Sir Edward Deering gave him this character in the house of commons; "Mr. Wilson is as orthodox in doctrine, and laborious in preaching, as any we have, and of an unblemished life."

The terms of conformity in England were now lower than they had been since the beginning of the civil wars; the covenant was laid aside, and no other civil qualification for a living required, but the engagement, so that many episcopal divines complied with the government; for though they might not read the liturgy in form, they might frame their prayers as near it as they pleased. Many episcopal assemblies were connived at, where the liturgy was read, till they were found plotting against the government; nor would they have been denied an open toleration, if they would have given security for their peaceable behaviour, and not meddling with politics.

The parliament having voted, in the year 1649, that tithes should be taken away as soon as another maintenance for the clergy could be agreed upon, several petitions came out of the country, praying the house to bring this affair to an issue: one advised, that all the tithes over the whole kingdom might be collected into a treasury, and that the ministers might be paid their salaries out of it. Others looking upon tithes unlawful, would have the livings valued, and the parish engaged to pay the minister. This was suspected to come from the sectaries, and awakened the fears of the established clergy. Mr. Baxter printed the Worcester petition on the behalf of the ministers\*, which was presented to the house by colonel Bridges and Mr. Foley; and Mr. Boreman, B. D. and fellow of Trinity-college, Cambridge, published "The countryman's catechism, or the church's plea for tithes," dedicated to the nobility, gentry, and commons, of the realm; in which he insists upon their divine right. But the clergy were more afraid than hurt; for though the commons were of opinion with Mr. Selden, that tithes were abolished with the old law, yet the committee not agreeing upon an expedient to satisfy the lay-impropriators, the affair was dropped for the present.

Upon complaint of the expense and tediousness of lawsuits, it was moved in the house, that courts of justice might be settled in every county, and maintained at the public charge; and that all controversies between man and man might be heard and determined free, according to the laws of the land; and that clerks of all courts and committees might do their duty without delay, or taking any thing more than their settled fees. Accordingly, a committee was appointed to consider of the inconveniences and delays of lawsuits, and how they might be remedied. The committee came to several resolutions upon this head; but the dissolution of the parliament, which happened the next year, prevented their bringing it to perfection.

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\* Baxter's Life, p. 115.

An act had passed in the year 1649, for propagating the gospel in Wales; and commissioners were appointed for ejecting ignorant and scandalous ministers, and placing others in their room; pursuant to which, Mr. Whitelocke writes\*, "that by this time there were one hundred and fifty good preachers in the thirteen Welsh counties, most of whom preached three or four times a week; that in every market-town there was placed one, and in most great towns two schoolmasters, able, learned, and university men; that the tithes were all employed to the uses directed by act of parliament; that is, to the maintenance of godly ministers; to the payment of taxes and officers; to schoolmasters; and the fifths to the wives and children of the ejected clergy:" of which we shall meet with a more particular relation in its proper place.

The commonwealth was now very powerful, and the nation in as flourishing a condition, says Mr. Rapin†, as under queen Elizabeth. The form of government indeed was altered contrary to law, and without consent of the people, the majority of whom were disaffected, preferring a mixed monarchy to an absolute commonwealth; but the administration was in the hands of the ablest men England had beheld for many years; all their enemies were in a manner subdued, and the two kingdoms incorporated into one commonwealth; but still there were two things that gave them uneasiness; one was, the growing power of the army, who were now at leisure, and expected rewards suitable to their successes: the other, the necessity they were under to dissolve themselves in a little time, and put the power into other hands.

With regard to the army, it was resolved to reduce the land-forces, and augment the fleet with them, in order to secure the nation against the Dutch; for the parliament having a desire to strengthen their hands, by uniting with the commonwealth of Holland, sent over Oliver St. John, and sir Walter Strickland, with proposals for this purpose; but the Dutch treated them with neglect‡, as their younger sister, which the parliament resenting, demanded satisfaction for the damages the English had sustained at Amboyna, and other parts of the East-Indies; and to cramp them in their trade, passed the famous act of navigation, prohibiting the importing goods of foreign growth in any but English

\* Memoirs, p. 518.

† Vol. 2. p. 586, folio edition.

‡ Dr. Grey, evidently with a view to controvert Mr. Neal's representation, as well as from prejudice against these ambassadors and the power from whom they received their commission, says, "the states of Holland treated them with much more regard and civility than was due to them;" and gives, as proofs of this, two of their own letters, in his Appendix, No. 50 and 51. But all which these letters prove is, that the first reception given to these gentlemen was both respectful and pompous. Mr. Neal is to be understood of the attention paid to their proposals: with respect to which the conduct of the Dutch was cold and evasive. And even the persons of the ambassadors did not escape insults, which the States did not properly resent. Mr. Strickland's life was threatened. A plot was formed to assassinate Mr. St. John: and an affront was offered to him by prince Edward, one of the palatinate, as he was passing the streets. Mrs. Macaulay's History, vol. 5. p. 83, 84, note; and Ludlow's Memoirs, 4to. 1771, p. 148.—Ed.



bottoms; or such as were of the country from whence they came. Upon this the Dutch sent over ambassadors, desiring a clause of exception for themselves, who were the carriers of Europe; but the parliament in their turn treated them coldly, and put them in mind of the murder of their envoy Dr. Dorislaus. Both commonwealths being dissatisfied with each other, prepared for war; and Van Trump the Dutch admiral, with a convoy of merchant-men, meeting admiral Blake in the channel, and refusing him the flag, an engagement ensued May 17, which continued four hours till the night parted them. The Dutch excused the accident, as done without their knowledge; but the parliament was so enraged, that they resolved to humble them. In these circumstances it was thought reasonable to augment the fleet out of the land-forces, who had nothing to do, and would in a little time be a burden to the nation.

Cromwell, who was at the head of the army, quickly discovered that the continuance of the war must be his ruin, by disarming him of his power, and reducing him from a great general to the condition of a private gentleman. Besides, Mr. Rapin observes, that he had secret information of a conspiracy against his life; and without all question, if the army had not agreed to stand by their general, his ruin had been unavoidable; the officers therefore determined to combine together, and not suffer their men to be disbanded or sent to sea, till the arrears of the whole army were paid; for this purpose they presented a petition to the house, which they resented, and instead of giving them soft language, and encouragement to hope for some suitable rewards for their past services, ordered them to be reprimanded, for presuming to meddle in affairs of state that did not belong to them. But the officers proving as resolute as their masters, instead of submitting, presented another petition, in which, having justified their behaviour, they boldly strike at the parliament's continuance, and put them in mind how many years they had sat; that they had engrossed all preferments and places of profit to themselves and their friends; that it was a manifest injury to the gentlemen of the nation, to be excluded the service of their country, and an invasion of the rights of the people, to deprive them of the right of frequent choosing new representatives; they therefore insist upon their settling a new council of state for the administration of public affairs; and upon their fixing a peremptory day for the choice of a new parliament.

This was a new and delicate crisis; the civil and military powers being engaged against each other, and resolved to maintain their respective pretensions: if Cromwell, with the sword in his hand, had secured the election of a free representative of the people, and left the settlement of the nation to them, all men would have honoured and blessed him, for the people were certainly weary of the parliament. But when the officers had destroyed this form of government, they were not agreed what to establish,

whether a monarchy, or a new republic; the general, being for a mixed monarchy, had, no doubt, some ambitious views to himself, and therefore called together some select friends of several professions to advise on the affair, when sir Thomas Widdrington, lord-chief-justice St. John, and the rest of the lawyers, declared for monarchy, as most agreeable to the old constitution, and proposed the duke of Gloucester for king; but the officers of the army then present declared for a republic. Cromwell himself, after much hesitation, gave his opinion for something of a monarchical power, as most agreeable to the genius of the English, if it might be accomplished with safety to their rights and privileges as Englishmen and Christians.

Some time after, Cromwell desired Mr. Whitelocke's opinion upon the present situation of affairs: "My lord (says he), it is time to consider of our present danger, that we may not be broken in pieces by our particular quarrels after we have gained an entire conquest over the enemy." Whitelocke replied, "that all their danger was from the army, who were men of emulation, and had now nothing to do." Cromwell answered, "that the officers thought themselves not rewarded according to their deserts; that the parliament had engrossed all places of honour and trust among themselves; that they delayed the public business, and designed to perpetuate themselves; that the officers thought it impossible to keep them within the bounds of justice, law, or reason, unless there was some authority or power to which they might be accountable." Whitelocke said, "he believed the parliament were honest men, and designed the public good, though some particular persons might be to blame, but that it was absurd for the officers who were private men, and had received their commissions from the parliament, to pretend to control them." "But (says Cromwell) what if a man should take upon him to be king?" Whitelocke answered, "that the remedy was worse than the disease; and that the general had already all the power of a king without the envy, danger, and pomp, of the title." "But (says he) the title of king would make all acts done by him legal; it would indemnify those that should act under him at all events, and be of advantage to curb the insolence of those whom the present powers could not control." Whitelocke agreed to the general's reasons, but desired him to consider, "whether the title of king would not lose him his best friends in the army, as well as those gentlemen who were for settling a free commonwealth; but if we must have a king (says he), the question will be, whether it shall be Cromwell or Stuart?" The general asking his opinion upon this, Whitelocke proposed a private treaty with the king of the Scots, with whom he might make his own terms, and raise his family to what pitch of greatness he pleased; but Cromwell was so apprehensive of the danger of this proposal, that he broke off

\* Whitelocke, p. 523, &c.



the conversation with some marks of dissatisfaction, and never made use of Whitelocke with confidence afterward.

Thus things remained \* throughout the whole winter; the army having little to do after the battle of Worcester drew near to London, but there was no treaty of accommodation between them and the parliament; one would not disband without their full pay; nor the other dissolve by the direction of their own servants, but voted the expediency of filling up their numbers, and that it should be high-treason to petition for their dissolution. When the general heard this, he called a council of officers to Whitehall, who all agreed that it was not fit the parliament should continue any longer. This was published in hopes of frightening the house to make some advances towards a dissolution; but when colonel Ingoldsby informed the general next morning, that they were concluding upon an act to prolong the session for another year, he rose up in a heat, and with a small retinue of officers and soldiers marched to the parliament-house April 20, and having placed his men without doors, went into the house, and heard the debates. After some time he beckoned to colonel Harrison, on the other side of the house, and told him in his ear, that he thought the parliament was ripe for dissolution, and that this was the time for doing it. Harrison replied, that the work was dangerous, and desired him to think better of it. Upon this he sat down about a quarter of an hour, and then said, This is the time, I must do it; and, rising up in his place, he told the house, that he was come to put an end to their power, of which they had made so ill a use; that some of them were whoremasters, looking towards Harry Martin and sir Peter Wentworth; others were drunkards, and some corrupt and unjust men, who had not at heart the public good, but were only for perpetuating their own power. Upon the whole, he thought they had sat long enough, and therefore desired them to retire and go away. When some of the members began to reply, he stepped into the middle of the house, and said, "Come, come, I will put an end to your prating; you are no parliament; I say you are no parliament;" and, stamping with his foot, a file of musketeers entered the house; one of whom he commanded to take away that fool's hauble the mace. And major Harrison taking the speaker by the arm, conducted him out of the chair. Cromwell then seizing upon their papers obliged them to walk out of the house; and having caused the doors to be locked upon them, returned to Whitehall.

\* Here may be inserted, from Whitelocke, two anecdotes, which afford a pleasing specimen of the temper of the Quakers under ill-treatment. February 3, 1653, they were assaulted and beaten by some people in the north. February 13, 1654, a similar outrage was offered to others of them, at Hasington in Northumberland, for speaking to the ministers on the sabbath-day: so that one or two of them were almost killed. The Quakers fell on their knees and prayed to God to forgive the people, as those who knew not what they did; and remonstrated with them so as to convince them of the evil of their conduct, on which they ceased from their violence, and began to reproach each other with being the occasions of it: and, in the last instance, beat one another more than they had before the Quakers. Memorials, p. 564. 599.—ED.

In the afternoon the general went to the council of state, attended by major-general Lambert and Harrison, and as he entered the room, said, "Gentlemen, if you are met here as private persons you shall not be disturbed, but if as a council of state, this is no place for you; and since you cannot but know what was done in the morning, so take notice the parliament is dissolved." Serjeant Bradshaw replied, "Sir, we have heard what you did in the morning, but you are mistaken to think the parliament is dissolved, for no power can dissolve them but themselves; therefore take you notice of that." But the general not being terrified with big words, the council thought it their wisest way to rise up and go home.

Thus ended the commonwealth of England, after it had continued four years, two months, and twenty days, which, though no better than a usurpation, had raised the credit of the nation to a very high pitch of glory and renown; and with the commonwealth ended the remains of the long-parliament for the present; an assembly famous throughout all the world for its undertakings, actions, and successes\*: "the acts of this parliament (says Mr. Coke†) will hardly find belief in future ages; and to say the truth, they were a race of men most indefatigable and industrious in business, always seeking men fit for it, and never preferring any for favour or importunity: you hardly ever heard of any revolt from them; no soldiers or seamen being ever pressed. And as they excelled in civil affairs, so it must be confessed, they exercised in matters ecclesiastical no such severities as others before them did upon such as dissented from them."

But their foundation was bad, and many of their actions highly criminal; they were a packed assembly, many of their members being excluded by force, before they could be secure of a vote to put the late king to death—they subverted the constitution, by setting up themselves, and continuing their sessions after his majesty's demise—by erecting high courts of justice of their own nomination for capital offences—by raising taxes, and doing all other acts of sovereignty without consent of the people; all which they designed to perpetuate among themselves, without being accountable to any superior, or giving place to a new body of representatives. If then it be inquired, what right or authority general Cromwell and his officers had to offer violence to this parliament, it may be replied, 1. The right of self-preservation,

\* Mrs. Macaulay, after quoting the high eulogiums made on the government of this parliament, adds, "It is to be remembered, that to them is due the singular praise of having pursued the true interest of their country in attending particularly to its maritime strength, and carrying on its foreign wars by its naval power. This example, which raised England to so great a height of glory and prosperity, has never yet been followed, and in all probability never will, by the succeeding monarchs. The aim of princes is to make conquests on their subjects, not to enlarge the empire of a free people. A standing army is a never-failing instrument of domestic triumph; and it is very doubtful, whether a naval force could be rendered useful in any capacity but that of extending the power and prosperity of the country." *Hist. of England*, vol. 5. p. 106, note, 8vo.—Ed.

† *Detect.* p. 363.



the ruin of one or the other being unavoidable. 2. The right that every Englishman has to put an end to a usurpation when it is in his power, provided he can substitute something better in its room; and if Cromwell could by this method have restored the constitution, and referred the settlement of the government to a free and full representative of the people, no wise man would have blamed him. It was not therefore his turning out the old parliament that was criminal, but his not summoning a new one, by a fair and free election of the people; and yet Mr. Rapin\* is of opinion, that even this was impracticable, there being three opposite interests in the nation; the republicans, who were for an absolute commonwealth; the Presbyterians, who were for restoring things to the condition they were in in 1648; and the cavaliers, who were for setting the king upon the throne, as before the civil wars; it was by no means possible (says he†) to reconcile the three parties, and if they had been let loose they would have destroyed each other, and thrown the whole nation into blood and confusion; nothing therefore but giving a forcible superiority to one, was capable to hold the other two in subjection. The king was no way interested in the change, for it was not Charles Stuart, but a republican usurpation, that was dispossessed of the supreme power. If the general had failed in his design, and lost his life in the attempt, the king would have received no manner of advantage, for the nation was by no means disposed to restore him at this time. Supposing then it was not practicable to choose a free parliament, nor fit to let the old one perpetuate themselves, Oliver Cromwell had no other choice, but to abandon the state, or to take the administration upon himself; or put it into the hands of some other person who had no better title. How far private ambition took place of the public good in the choice, must be left to the judgment of every reader; but if it was necessary that there should be a supreme authority, capable of enforcing obedience, it cannot be denied, but that general Cromwell was more capable of governing the state in such a storm than any man then living. No objection can be raised against him, which might not with more justice have been urged against any other single person, or body of men in the nation, except the right heir. However, all the three parties, of cavaliers, Presbyterians, and republicans, were displeased with his conduct, loaded him with invectives, and formed conspiracies against his person, though they could never agree in any other scheme, which in the present crisis was more practicable.

The parliament being thus violently dispersed, the sovereign power devolved on the council of officers, of which Cromwell was head, who published a declaration, justifying his dissolution of the late parliament, and promising to put the administration into the hands of persons, of approved fidelity and honesty, and leave them to form it into what shape they pleased. Accordingly, April 30,

\* 289, folio edition.

† Rapin, p. 149.

another declaration was published, signed by Oliver Cromwell, and thirty of his officers, nominating a new council of state to take care of the government, till a new representative body of men could be called together; and June 8, the general, by the advice of his council, sent the following summons to one hundred and forty select persons, out of the several counties of England, to meet at Westminster, in order to settle the nation: "I Oliver Cromwell, captain-general, &c. do hereby summons and require you — being one of the persons nominated by myself, with the advice of my council, personally to appear at the council-chamber at Whitehall, upon the fourth of July next ensuing the date hereof, to take upon you the trust of the affairs of the commonwealth; to which you are hereby called and appointed to serve as a member for the county of —; and hereof you are not to fail. Given under my hand this eighth of June 1653.

"O. CROMWELL."

These were high acts of sovereignty, and not to be justified but upon the supposition of extreme necessity. The dissolution of the long-parliament was an act of violence, but not unacceptable to the people, as appeared by the numerous addresses from the army, the fleet, and other places, approving the general's conduct, and promising to stand by him and his council in their proceedings; but then for the general himself, and thirty officers, to choose representatives for the whole nation, without interesting any of the counties or corporations of England in the choice, would have deserved the highest censure under any other circumstances.

About one hundred and twenty of the new representatives appeared at the time and place appointed, when the general, after a short speech, delivered them an instrument in parchment under his hand and seal, resigning into their hands, or the hands of any forty of them, the supreme authority and government of the commonwealth, limiting the time of their continuance to November 3, 1654, and empowering them, three months before their dissolution, to make choice of others to succeed them for a year, and they to provide for a future succession. It was much wondered, says Whitelocke\*, that these gentlemen, many of whom were persons of fortune and estate †, should accept of the supreme

\* Memoirs, p. 534.

† Dr. Grey, after lord Clarendon and others, and Mr. Hume since them, have spoken in severe and contemptuous terms of this assembly and their proceedings. "The major part of them (says his lordship) consisted of inferior persons, of no quality or name, artificers of the meanest name, known only by their gifts in praying and preaching." But many of Cromwell's after-councillors, many of the chief officers of the army, were in this assembly. They were treated as the supreme authority of the nation by sovereign princes, and had the most humble applications made to them by the chief cavaliers, as by the earls of Worcester, Derby and Shrewsbury, lord Mansfield and the countess of Derby: and they were, during their short session, employed about points of the highest national concernment; such as, abolishing the court of chancery on account of its expensiveness and delays, the forming a new body of the law, the union of Scotland with England,



authority of the nation, upon such a summons, and from such hands. Most of them were men of piety, but no great politicians, and were therefore in contempt called sometimes the little parliament; and by others, Barebones' parliament, from a leather-seller of that name\*, who was was one of the most active members. When the general was withdrawn, they chose Mr. Rouse, an aged and venerable man, member in the late parliament for Truro in Cornwall, their speaker, and then voted themselves the parliament of the commonwealth of England. Mr. Baxter † places them in a contemptible light, and says, "they intended to eject all the parish-ministers, and to encourage the gathering Independent churches; that they cast out all the ministers in Wales, which, though bad enough for the most part, were yet better than none, or the few itinerants they set up in their room; and that they attempted, and had almost accomplished, the same in England." But nothing of this appears among their acts. When the city of London petitioned, that more learned and approved ministers might be sent into the country to preach the gospel; that their settled maintenance by law might be confirmed; and their just properties preserved; and that the universities might be zealously countenanced and encouraged; the petitioners had the thanks of that house; and the committee gave it as their opinion, that commissioners should be sent into the several counties, who should have power to eject scandalous ministers, and to settle others in their room. They were to appoint preaching in all vacant places, that none might live above three miles from a place of worship. That such as were approved for public ministers should enjoy the maintenance provided by the laws; and that if

the regulation of marriages, and the investing the solemnization and cognizance of them in the civil magistrate, with other matters of moment. Harris's *Life of Oliver Cromwell*, p. 335—337.—Ed.

\* There were three brothers of this family, each of whom had a sentence for his name, viz. "Praise God, Barebone; Christ came into the world to save Barebone; and, if Christ had not died thou hadst been damned, Barebone." In this style were the Christian names of very many persons formed in the times of the civil wars. It was said, that the genealogy of our Saviour might be learnt from the names in Cromwell's regiments; and that the muster-master used no other list than the first chapter of Matthew. A jury was returned in the county of Sussex of the following names:

*Accepted*, Trevor of Norsham.

*Redeemed*, Compton of Battle.

*Faint not*, Hewet of Heathfield.

*Make-peace*, Heaton of Hare.

*God-reward*, Smart of Fivehurst.

*Stand fast on high*, Stringer of Crowhurst.

*Earth*, Adams of Warbleton.

*Called*, Lower of ditto.

*Kill Sin*, Pimple of Witham.

*Return*, Spelman of Watling.

*Be Faithful*, Joyner of Britling.

*Fly Debate*, Robert of ditto.

*Fight the good Fight of Faith*, White of Emer.

*More Fruit*, Fowler of East-Hadley.

*Hope for*, Bending of ditto.

*Graceful*, Harding of Lewes.

*Weep not*, Billings, ditto.

*Meek*, Brewer of Okeham.

Granger's *History of England*, vol. 3. p. 68, 8vo. note: and Dr. Grey, p. 286, 287, note. Mr. Hume has also given this list of the Sussex jury. But the ridicule, which falls on this mode of naming children, belongs not to these times only: for the practice was in use long before. Harris's *Life of Oliver Cromwell*, p. 342, the note.—Ed.

† P. 70. 180.

any scrupled the payment of tithes, the neighbouring justices of peace should settle the value, which the owner of the land should be obliged to pay; but as for the tithes themselves, they were of opinion, that the incumbents and impropiators had a right in them, and therefore they could not be taken away till they were satisfied.

July 23, it was referred to a committee, to consider of a repeal of such laws as hindered the progress of the gospel; that is (says bishop Kennet), to take away the few remaining rules of decency and order; or, in other language, the penal laws. This was done at the instance of the Independents, who petitioned for protection against the presbyteries; upon which it was voted, that a declaration should be published, for giving proper liberty to all that feared God; and for preventing their imposing hardships on one another.

Mr. Echard, and others of his principles, write, that this parliament had under deliberation the taking away the old English laws, as badges of the Norman conquest, and substituting the Mosaic laws of government in their place; and that all schools of learning, and titles of honour, should be extinguished, as not agreeing with the Christian simplicity. But no such proposals were made to the house, and therefore it is unjust to lay them to their charge.

The solemnizing of matrimony had hitherto been engrossed by the clergy; but this convention considered it a civil contract, and put it into the hands of justices of peace, by an ordinance, which enacts, "that after the 29th of September, 1653, all persons who shall agree to be married within the commonwealth of England, shall deliver in their names and places of abode, with the names of their parents, guardians, and overseers, to the registrar of the parish where each party lives, who shall publish the banns in the church or chapel three several Lord's days, after the morning service; or else in the market-place three several weeks successively, between the hours of eleven and two, on a market-day, if the party desire it. The registrar shall make out a certificate of the due performance of one or the other, at the request of the parties concerned, without which they shall not proceed to marriage.

"It is farther enacted, that all persons intending to marry shall come before some justice of peace within the county, city, or town corporate, where publication has been made, as aforesaid, with their certificate, and with sufficient proof of the consent of the parents, if either party be under age, and then the marriage shall proceed in this manner:

"The man to be married shall take the woman by the hand, and distinctly pronounce these words, I, A. B. do here in the presence of God, the Searcher of all hearts, take thee, C. D. for my wedded wife; and do also, in the presence of God, and be-



fore these witnesses, promise to be to thee a loving and faithful husband.

"Then the woman taking the man by the hand, shall plainly and distinctly pronounce these words, I, C. D. do here in the presence of God, the Searcher of all hearts, take thee, A. B. for my wedded husband; and do also in the presence of God, and before these witnesses, promise to be to thee a loving, faithful, and obedient wife.

"After this, the justice may and shall declare the said man and woman to be from henceforth husband and wife; and from and after such consent so expressed, and such declaration made of the same (as to the form of marriage), it shall be good and effectual in law; and no other marriage whatsoever, within the commonwealth of England, after the 29th of September, 1653, shall be held or accounted a marriage, according to the law of England."

This ordinance was confirmed by the protector's parliament in the year 1656, except the clause, "that no other marriage whatsoever within the commonwealth of England shall be held or accounted a legal marriage;" and it was wisely done of the parliament at the Restoration, to confirm these marriages, in order to prevent illegitimacy, and vexatious lawsuits in future times. But the acts of this convention were of little significance, for when they found the affairs of the nation too intricate, and the several parties too stubborn to yield to their ordinances, they wisely resigned, and surrendered back their sovereignty into the same hands that gave it them, after they had sat five months and twelve days.

The general and his officers finding themselves reinvested with the supreme authority, by what they fancied a more parliamentary delegation, took upon them to strike out a new form of government, a little tending towards monarchy, contained in a large instrument of forty-two articles, entitled, "The government of the commonwealth of England, Scotland, and Ireland." It appoints the government to be in a single person;—that the single person be the general Oliver Cromwell, whose style and title should be his highness, lord-protector of the commonwealth of England, Scotland, and Ireland, and of the dominions thereunto belonging—that the lord-protector should have a council, consisting of no more than twenty-one persons, nor less than thirteen, to assist him in the administration. A parliament was to be chosen out of the three kingdoms every three years at longest, and not to be dissolved without their consent in less than five months. It was to consist of four hundred members for England and Wales; thirty for Scotland, and thirty for Ireland; whereof sixty were to make a house. The counties of England and Wales were to choose two hundred and thirty-nine; the other elections to be distributed among the chief cities and mar-

ket-towns, without regard to ancient custom. The county of Dorset was to choose eleven members; Cornwall eight; Bedfordshire five; the several ridings of Yorkshire fourteen; Middlesex four; the city of London six; Westminster two; the whole number of cities and boroughs which had privilege of election were one hundred and ten, and the number of representatives to be chosen by them one hundred and sixty.—If the protector refused to issue out writs, the commissioners of the great seal, or the high sheriff of the county was to do it under pain of treason—none to have votes but such as were worth 200*l*. This regulation, being wisely proportioned, met with universal approbation. Lord Clarendon says, it was fit to be more warrantably made, and in a better time—all the great officers of state, as chancellor, treasurer, &c. if they became vacant in time of parliament, to be supplied with their approbation; and in the intervals with the approbation of the council—such bills as were offered to the protector by the parliament, if not signed in twenty days, were to be laws without him, if not contrary to this instrument.—In the present crisis, the protector and his council might publish ordinances which should have force till the first sessions of parliament—the protector was to have power to make war and peace, to confer titles of honour, to pardon all crimes except treason and murder; the militia was intrusted with him and his council, except during the sessions of parliament, when it was to be jointly in both. In short, the protector had almost all the royalties of a king—but then the protectorship was to be elective, and no protector after the present to be general of the army.

The articles relating to religion were these:

Art. 35. "That the Christian religion contained in the Scriptures be held forth and recommended as the public profession of these nations, and that as soon as may be, a provision less subject to contention, and more certain than the present, be made for the maintenance of ministers; and that till such provision be made, the present maintenance continue.

Art. 36. "That none be compelled to conform to the public religion by penalties or otherwise; but that endeavours be used to win them by sound doctrine, and the example of a good conversation.

Art. 37. "That such as profess faith in God by Jesus Christ, though differing in judgment from the doctrine, worship, or discipline, publicly held forth, shall not be restrained from, but shall be protected in the profession of their faith, and exercise of their religion, so as they abuse not this liberty to the civil injury of others, and to the actual disturbance of the public peace on their parts: provided this liberty be not extended to Popery or prelacy, or to such as under a profession of Christ hold forth and practise licentiousness.

Art. 38. "That all laws, statutes, ordinances, and clauses, in



any law, statute, or ordinance, to the contrary of the aforesaid liberty, shall be esteemed null and void."

The protector was installed with great magnificence, December 16, 1653, in the court of chancery, by order of the council of officers, in presence of the lord-mayor and aldermen of London, the judges, the commissioners of the great seal, and other great officers, who were summoned to attend on this occasion. Oliver Cromwell, standing uncovered on the left hand of a chair of state set for him, first subscribed the instrument of government in the face of the court, and then took the following oath:

"Whereas the major part of the last parliament (judging that their sitting any longer as then constituted, would not be for the good of the commonwealth) did dissolve the same; and by a writing under their hands, dated the 12th of this instant December, resigned to me their powers and authorities. And whereas it was necessary thereupon, that some speedy course should be taken for the settlement of these nations upon such a basis and foundation, as, by the blessing of God, might be lasting, secure property, and answer those great ends of religion and liberty so long contended for; and upon full and mature consideration had of the form of government hereunto annexed, being satisfied that the same, through divine assistance, may answer the ends afore-mentioned; and having also been desired and advised, as well by several persons of interest and fidelity in the commonwealth, as the officers of the army, to take upon me the protection and government of these nations in the manner expressed in the said form of government, I have accepted thereof, and do hereby declare my acceptance accordingly; and do promise, in the presence of God, that I will not violate or infringe the matters and things contained therein, but to my power observe the same, and cause them to be observed; and shall in all other things, to the best of my understanding, govern these nations according to the laws, statutes, and customs, seeking their peace, and causing justice and law to be equally administered."

After this he sat down in the chair of state covered, and the commissioners delivered him the great seal, and the lord-mayor his sword and cap of maintenance; which he returned in a very obliging manner. The ceremony being over, the soldiers, with a shout, cried out, "God bless the lord-protector of the commonwealth of England, Scotland, and Ireland." In their return to Whitehall the lord-mayor carried the sword before his highness uncovered, and presently after he was proclaimed in the city of London, and throughout all the British dominions.

Thus did this wonderful man, by surprising management, supported only by the sword, advance himself to the supreme government of three kingdoms without consent of parliament or people. His birth seemed to promise nothing of this kind; nor does it appear that he had formed the project, till after the battle of

Worcester, when he apprehended the parliament had projected his ruin by disbanding the army, and perpetuating their authority among themselves: which of the two usurpations was most eligible must be left with the reader; but how he brought the officers into his measures, and supported his sovereignty by an army of enthusiasts, Anabaptists, fifth monarchy men, and republicans, will be the admiration of all posterity; and though by this adventurous act he drew upon himself the plots and conspiracies of the several factions in the nation, yet his genius and resolution surmounted all difficulties, his short empire being one continued blaze of glory and renown to the British isles, and of terror to the rest of Europe.

The reader will make his own remarks upon the new instrument of government, and will necessarily observe, that it was a creature of Cromwell's and his council of officers, and not drawn up by a proper representative of the people. How far the present circumstances of the nation made this necessary, must be concluded from the remarks we have made upon the change of government; but the articles relating to religion can hardly be complained of, though they disgusted all that part of the clergy who were for church-power; the Presbyterians preached and wrote against the 36th and 37th articles, as inconsistent with their establishment, and sinking it almost to a level with their sectaries. The republicans were dissatisfied because the engagement, by which they had sworn fidelity to a commonwealth, without a single person, or house of lords, was set aside. Bishop Kennet is angry with the protector's latitude, because there was no test or barrier to the establishment. "How little religion was the concern, or so much as any longer the pretence of Cromwell and his officers (says his lordship), appears from hence, that in the large instrument of the government of the commonwealth, which was the magna charta of the new constitution, there is not a word of churches or ministers, nor any thing but the Christian religion in general, with liberty to all differing in judgment, from the doctrine, worship, or discipline, publicly held forth." Strange, that this should displease a Christian bishop! But his lordship should have remembered, that this liberty was not to extend to any kinds of immoralities, nor to such as injured the civil rights of others, nor to such as disturbed the public peace. And do the Scriptures authorize us to go farther? The sixth article provides, "that the laws in being relating to the Presbyterian religion were not to be suspended, altered, abrogated, or repealed; nor any new law made, but by consent of parliament." The 36th adds, "that until a better provision can be made for the encouragement and maintenance of able and painful teachers, the present maintenance shall not be taken away nor impeached." And triers were appointed soon after for preventing scandalous and unlearned persons invading the pulpit. This part of the instrument is, in my opinion, so far from being criminal, that it breathes a noble spirit of Christian liberty, though it was undoubtedly faulty, in putting Popery,



prelacy, and licentiousness of manners, upon a level. The open toleration of Popery is hardly consistent with the safety of a Protestant government; otherwise, considered merely as a religious institution, I see not why it should be crushed by the civil power: and licentiousness of manners is not to be indulged in any civilized nation; but if the Episcopalians would have given security for their living peaceably under their new masters, they ought undoubtedly to have been protected; however, the protector did not in every instance adhere strictly to the instrument.

But though in point of policy the Episcopalians were at this time excepted from a legal toleration, their assemblies were connived at; and several of their clergy indulged the public exercise of their ministry without the fetters of oaths, subscriptions, or engagements; as Dr. Hall, afterward bishop of Chester, Dr. Wild, Pearson, Ball, Hardy, Griffith, Farrington and others. Several of the bishops, who had been kept from public service by the covenant and engagement, preached again publicly in the city, as archbishop Usher, bishop Brownrigge, and others. Mr. Baxter, who was very far from being a friend of the protector's, says, "that all men were suffered to live quietly, and enjoy their properties under his government—that he removed the terrors and prejudices which hindered the success of the gospel, especially considering that godliness had countenance and reputation as well as liberty, whereas before, if it did not appear in all the fetters and formalities of the times, it was the way to common shame and ruin. It is well known that the Presbyterians did not approve of the usurpation, but when they saw that Cromwell's design was to do good in the main, and encourage religion as far as his cause would admit, they acquiesced." And then comparing these times with those after the Restoration, he adds, "I shall for the future think that land happy, where the people have but bare liberty to be as good as they are willing; and if countenance and maintenance be but added to liberty, and tolerated errors and sects be but forced to keep the peace, I shall not hereafter much fear such a toleration, nor despair that truth will bear down its adversaries\*." This was a considerable testimony to the protector's administration from the pen of an adversary.

The protector's first council were, major-general Lambert, lieutenant-general Fleetwood, colonel Montague, afterward earl of Sandwich; Philip lord viscount Lisle, since earl of Leicester; colonel Desborough, sir Gilbert Pickering, sir Anthony Ashley Cooper, afterward earl of Shaftsbury; sir Charles Woolsley, major-general Skippon, Mr. Strictland, colonel Sydenham, colonel Jones, Mr. Rouse, Mr. Lawrence, and Mr. Major: men of great name in those times; some of whom made a considerable figure after the Restoration. The protector's wise conduct appeared in nothing more than his unwearied endeavours to make all religious

\* Life, p. 86, 87.

parties easy. He indulged the army in their enthusiastic raptures, and sometimes joined in their prayers and sermons. He countenanced the Presbyterians, by assuring them he would maintain the public ministry, and give them all due encouragement. He supported the Independents, by making them his chaplains; by preferring them to considerable livings in the church and universities; and by joining them in one commission with the Presbyterians as triers of all such as desired to be admitted to benefices. But he absolutely forbade the clergy of every denomination dealing in politics, as not belonging to their profession; and when he perceived the managing Presbyterians took too much upon them, he always found means to mortify them; and would sometimes glory that he had curbed that insolent sect, that would suffer none but itself.

It was happy for the wise and moderate Presbyterians, that the protector disarmed their discipline of its coercive power, for he still left them all that was sufficient for the purposes of religion; they had their monthly or quarterly classical presbyteries in every county, for the ordination of ministers, by imposition of hands, according to the Directory, to whom they gave certificates, or testimonials, in the following words:

"We the ministers of the presbytery of ———, having examined Mr. ——— according to the tenor of the ordinance for that purpose, and finding him duly qualified and gifted for that holy office and employment (no just exception having been made to his ordination), having approved him, and accordingly, on the day and year hereafter expressed, have proceeded solemnly to set him apart to the office of a preaching presbyter, and work of the ministry, with fasting and prayer, and imposition of hands; and do hereby actually admit him (as far as concerns us) to perform all the offices and duties of a faithful minister of Jesus Christ. In witness whereof we have hereunto subscribed our names this ——— day of September 1653."

Other testimonials were in this form:

"We the ministers of Christ, who are called to watch over this part of his flock in the city of ———, with the assistance of some others, that we might not be wanting to the service of the church in its necessity, having received credible testimonials, under the hands of divers ministers of the gospel, and others, of the sober, righteous, and godly conversation of ———, as also concerning his gifts for the ministry, have proceeded to make farther trial of his fitness for so great a work; and being in some good measure satisfied concerning his piety and ability, have upon the ——— day of ——— 1653, proceeded solemnly to set him apart to the office of a presbyter, and work of the ministry, by laying on our hands with fasting and prayer; by virtue whereof we do esteem and declare him a lawful minister of Christ, and hereby recommend him to the church of ———. In witness whereof we have set our hands, &c."



When the Presbyterians found that their classes could obtain no power to inflict pains and penalties on those who refused to submit to their discipline, the ministers of the several denominations in the country began to enter into friendly associations for brotherly counsel and advice. Mr. Baxter, and his brethren of Worcestershire, formed a scheme upon such general principles as all good men were agreed in, which he communicated to the reverend Mr. Vines and Gataker; and when he had drawn up articles of concord, he submitted them to the correction of archbishop Usher, and other episcopal divines, who agreed with him, that no more discipline should be practised than the Episcopalian, Presbyterian, and Independent divines agreed in; that they should not meddle with politics or affairs of civil government in their assemblies, nor pretend to exercise the power of the keys, or any church-censures; but only to assist, advise, and encourage, each other in propagating truth and holiness, and in keeping their churches from profane and scandalous communicants\*. Their meetings were appointed to be once a month in some market-town, where there was a sermon in the morning; and after dinner the conversation was upon such points of doctrine or discipline as required advice; or else an hour was spent in disputing upon some theological question which had been appointed the preceding month. Doctor Warmestry, afterward dean of Worcester, and Dr. Good, one of the prebendaries of Hereford, sent Mr. Baxter a letter dated September 20, 1653, wherein they testify their approbation of the association above mentioned, and of the articles of concord†.

In the west of England, Mr. Hughes of Plymouth, and Mr. Good of Exeter, prevailed with the ministers of the several persuasions in those parts, to follow the example of Worcestershire; accordingly they parcelled themselves into four divisions, which met once a quarter; and all four had a general meeting for concord once a year: the reverend Mr. Hughes presided in those of 1655 and 1656. The moderator began and ended with prayer, and several of the episcopal divines of the best character, as well as Independents, joined with them; "the chief of the Presbyterian and Independent divines, who were weary of divisions, and willing to strengthen each other's hands, united in these assemblies, though the exasperated prelatists, the more rigid Presbyterians, and severer sort of Independents, kept at a distance: but many remarkable advantages (says Mr. Baxter) attended these associations;" they opened and preserved a friendly correspondence among the ministers; they removed a great many prejudices and misunderstandings, insomuch that the controversies and heats of angry men began to be allayed, their spirit bettered, and the ends of religion more generally promoted.

But these country associations were not countenanced by

\* Baxter's Life, part 2. p. 147, &c. p. 167, &c.

† Ibid. p. 149.

the more zealous Presbyterians of London, who met weekly at Sion-college; they could hardly digest a toleration of the sectaries, much less submit to a coalition, but resolved to keep close to the ordinances of parliament, and to the acts of their provincial assembly: they wanted the sword of discipline, and were impatient under the present restraint; and nothing but the piercing eye of the protector, whose spies were in every corner, kept them from preaching, praying, and plotting, against the government. However, the country ministers being easy in their possessions, cultivated good neighbourhood, and spread the associations through Wiltshire, Essex, Hampshire, Dorsetshire, Cumberland, Westmoreland, and other parts; that if I am not misinformed, there are the like brotherly associations among the dissenters in several counties to this day.

This year died old Dr. William Gouge, born at Stratford-le-Bow in the year 1575, and educated at King's-college, Cambridge, of which he was fellow. He entered into orders 1607, and the very next year was settled at Blackfriars, London, where he continued to his death. He commenced doctor of divinity in the year 1628, about which time he became one of the feoffees for buying up impropriations, for which he was ordered to be prosecuted in the star-chamber. In the year 1643 he was nominated one of the assembly of divines, and was in such reputation, that he often filled the moderator's chair in his absence. He was a modest, humble, and affable person, of strict and exemplary piety, a universal scholar, and a most constant preacher, as long as he was able to get up into the pulpit. For many years he was esteemed the father of the London ministers, and died comfortably and piously December 12, 1653, in the seventy-ninth year of his age, having been minister of Blackfriars almost forty-six years.

Doctor Thomas Hill, of whom mention has been made before, was born in Worcestershire, and educated in Emanuel-college, Cambridge, of which he was a fellow, and tutor to young scholars for many years. He was afterward preferred to the living of Tichmarsh in Northamptonshire, and was chosen into the assembly of divines for that county. While he was at London he preached every day at St. Martin's-in-the-Fields, and was one of the morning lecturers at Westminster-abbey. He was afterwards chosen to be master of Emanuel-college, Cambridge, and from thence removed to Trinity-college; in which stations he behaved with great prudence and circumspection. He was a good scholar, and very careful of the antiquities and privileges of the university; a strict Calvinist, a plain, powerful, and practical preacher, and of a holy and unblamable conversation. He died of a quartan ague December 18, 1653, in an advanced age, very much lamented by his acquaintance and brethren\*.

\* He spent nine years at King's-college: and was never absent from public prayers at the chapel, and constantly read fifteen chapters in the Bible every day. He was the laborious, exemplary, and much-loved minister, of whom none thought



## CHAPTER III.

## FROM THE BEGINNING OF THE PROTECTORSHIP OF OLIVER CROMWELL TO HIS DEATH.

IF the reader will carefully review the divided state of the nation at this time, the strength of the several parties in opposite interests, and almost equal in power, each sanguine for his own scheme of settlement, and all conspiring against the present, he will be surprised that any wise man should be prevailed with to put himself at the head of such a distracted body; and yet more, that such a genius should arise, who without any foreign alliances should be capable of guarding against so many foreign and domestic enemies, and of steering the commonwealth through such a hurricane, clear of the rocks and quicksands which threatened its ruin.

This was the province that the enterprising Oliver undertook, with the style and title of lord protector of the commonwealth of England, Scotland, and Ireland. He assumed all the state and ceremony of a crowned head; his household officers and guards attended in their places, and his court appeared in as great splendour, and more order, than had been seen at Whitehall since Queen Elizabeth's reign. His first concern was to fill the courts of justice with the ablest lawyers; sir Matthew Hale was made lord-chief-justice of the common pleas; Mr. Maynard, Twisden, Newdigate, and Windham, serjeants at law; Mr. Thurloe, secretary of state; and Monk, governor of Scotland. His next care was to deliver himself from his foreign enemies; for this purpose he gave peace to the Dutch, which the fame of his power enabled him to accomplish without the ceremony of a formal treaty; he therefore sent his secretary Thurloe with the conditions to which they were to submit; the Dutch pleaded for abatements, but his highness was at a point, and obliged them to deliver up the island of Pulerone in the East-Indies; to pay 300,000*l.* for the affair of Amboyna; to abandon the interests of king Charles II. to exclude the prince of Orange from being stadtholder, and to yield up the sovereignty of the seas.

When this was accomplished, most of the sovereign princes in Europe sent to compliment his highness upon his advancement, and to cultivate his friendship: the king of Portugal asked pardon for receiving prince Rupert into his ports; the Danes got themselves included in the Dutch treaty, and became security for

or spoke ill, says Mr. Granger, "but such as were inclined to think or speak ill of religion itself." He refused the provostship of King's-college in Cambridge; and had eight children, who lived to man's and woman's estate. Clarke's *Lives* in his *General Martyrology*, p. 234;—and Granger's *History of England*, vol. 2. p. 179, 8vo.—Ed.

140,000*l.* damages done to the English shipping; the Swedes sued for an alliance, which was concluded with their ambassador; the crown of Spain made offers which the protector rejected; but the address of the French ambassador was most extraordinary; the protector received him in the Banqueting-house at Whitehall, with all the state and magnificence of a crowned head; and the ambassador, having made his obeisance, acquainted his highness with the king his master's desire to establish a correspondence between his dominions and England. He mentioned the value of the friendship of France, and how much it was courted by the greatest potentates of the earth; "but (says the ambassador) the king my master communicates his resolutions to none with so much joy and cheerfulness, as to those whose virtuous actions, and extraordinary merits, render them more conspicuously famous than the largeness of their dominions. His majesty is sensible, that all these advantages do wholly reside in your highness, and that the Divine Providence, after so many calamities, could not deal more favourably with these three nations, nor cause them to forget their past miseries with greater satisfaction, than by subjecting them to so just a government——"

The protector's most dangerous enemies were the royalists, Presbyterians, and republicans, at home; the former menaced him with an assassination, upon which he declared openly, that though he would never begin so detestable a practice, yet if any of the king's party should attempt it and fail, he would make an assassinating war of it, and exterminate the whole family, which his servants were ready to execute; the terror of this threatening was a greater security to him than his coat of mail or guards. The protector had the skill always to discover the most secret designs of the royalists by some of their own number, whom he spared no cost to gain over to his interests. Sir Richard Willis was chancellor Hyde's chief confidant, to whom he wrote often, and in whom all the party confided, as in an able and wise statesman: but the protector gained him with 200*l.* a year, by which means he had all the king's party in a net, and let them dance in it at pleasure\*. He had another correspondent in the king's little family, one Manning a Roman Catholic, who gave secretary Thurloe intelligence of all his majesty's councils and proceedings. But though the king's friends were always in one plot or other against the protector's person and government, he always behaved with decency towards them, as long as they kept within tolerable bounds; and without all question, the severe laws that were made against the episcopal party were not on the account of religion, but of their irreconcilable aversion to the government.

The whole body of the Presbyterians were in principle for the king and the covenant, but after the battle of Worcester, and the execution of Mr. Love, they were terrified into a compliance with

\* Burnet, p. 91. vol. 1. Edin. edit.



the commonwealth, though they disallowed their proceedings, and were pleased to see them broken in pieces; but the surprising advancement of Cromwell to the protectorship filled them with new terrors, and threatened the overthrow of their church-power, for they considered him not only as a usurper, but a sectarian, who would countenance the free exercise of religion to all that would live peaceably under his government; and though he assured them he would continue religion upon the footing of the present establishment, yet nothing would satisfy them as long as their discipline was disarmed of its coercive power.

But the protector's most determined adversaries were the commonwealth-party; these were divided into two branches; one had little or no religion, but were for a democracy in the state, and universal liberty of conscience in religion; the heads of them were Deists, or in the language of the protector, Heathens, as Algernon Sidney, Henry Neville, Martin, Wildman, and Harrington. It was impossible to work upon these men, or reconcile them to the government of a single person, and therefore he disarmed them of their power. The others were high enthusiasts, and fifth monarchy men, who were in expectation of king Jesus, and of a glorious thousand years' reign of Christ upon earth. They were for pulling down churches, says bishop Burnet\*, for discharging tithes, and leaving religion free (as they called it), without either encouragement or restraint. Most of them were for destroying the clergy, and for breaking every thing that looked like a national establishment. These the protector endeavoured to gain, by assuring them in private conversation, "that he had no manner of inclination to assume the government, but had rather have been content with a shepherd's staff, were it not absolutely necessary to keep the nation from falling to pieces, and becoming a prey to the common enemy; that he only stepped in between the living and the dead, as he expressed it, and this only till God should direct them on what bottom to settle, when he would surrender his dignity with a joy equal to the sorrow with which he had taken it up." With the chiefs of this party he affected to converse upon terms of great familiarity, shutting the door, and making them sit down covered in his presence, to let them see how little he valued those distances he was bound to observe for form's sake with others; he talked with them in their own language, and the conversation commonly ended with a long prayer.

The protector's chief support against these powerful adversaries were the Independents, the city of London, and the army; the former looked upon him as the head of their party, though he was no more theirs than as he was averse to church-power, and for a universal toleration. He courted the city of London with a decent respect, declaring, upon all occasions, his resolution to

\* Vol. 1. p. 93.

confirm their privileges, and consult measures for promoting trade and commerce. These, in return, after his instalment, entertained him at dinner in a most magnificent and princelike manner, and by degrees modelled their magistrates to his mind. But his chief dependence was upon the army, which being made up of different parties, he took care to reform by degrees, till they were in a manner entirely at his devotion. He paid the soldiers well, and advanced them according to their merits, and zeal for his government, without regard to their birth or seniority.

It was the protector's felicity, that the parties above mentioned had as great an enmity to each other as to him; the cavaliers hated the Presbyterians and republicans, as these did the cavaliers; the royalists fancied that all who were against the protector must join with them in restoring the king; while the Presbyterians were pushing for their covenant-uniformity, and the republicans for a commonwealth. Cromwell had the skill not only to keep them divided, but to increase their jealousies of each other, and by that means to disconcert all their measures against himself. Let the reader recollect what a difficult situation this was; and what a genius it must require to maintain so high a reputation abroad, in the midst of so many domestic enemies, who were continually plotting his destruction.

In pursuance of the instrument of government, the protector published an ordinance, April 12, to incorporate the two kingdoms of Scotland and England. The ordinance sets forth, "that whereas the parliament in 1651 had sent commissioners into Scotland, to invite that nation to a union with England under one government; and whereas the consent of the shires and boroughs was then obtained, therefore for completing that work, he ordains, that the people of Scotland, and all the territories thereunto belonging, shall be incorporated into one commonwealth with England, and that in every parliament to be held successively for the said commonwealth thirty members shall be called from thence to serve for Scotland.—Shortly after Ireland was incorporated after the same manner; and from this time the arms of Scotland and Ireland were quartered with those of England.

But the protector was hardly fixed in his chair before an assassination-plot of the royalists was discovered, and three of the conspirators, viz. Mr. Fox, Mr. Gerhard, and Mr. Vowel, were apprehended, and tried before a high court of justice, for conspiring to murder the lord-protector as he was going to Hampton-court, to seize the guards, and the Tower of London; and to proclaim the king. Mr. Fox, who confessed most of what was alleged against him, pleaded guilty, and was reprieved; but the other two, putting themselves on their trial, though they denied the jurisdiction of the court, were convicted, and executed July 10. Gerhard, a young hot-headed ensign in the late king's army, was beheaded; and Vowel, a schoolmaster at Islington, hanged at Charing-cross: Gerhard confessed he knew of the plot, but Vowel



was silent \*. These commotions were the occasion of the hardships the royalists underwent some time after.

Don Pantaleon Sa, brother of the Portuguese ambassador, was beheaded the same day, upon account of a riot and murder in the New Exchange. Pantaleon had quarrelled with the above-mentioned Gerhard, and to revenge himself, brought his servants next day armed with swords and pistols to kill him; but instead of Gerhard, they killed another man, and wounded several others. The Portuguese knight and his associates fled to his brother the ambassador's house for sanctuary, but the mob followed them, and threatened to pull down the house, unless they were delivered up to justice. The protector, being informed of the tumult, sent an officer with a party of soldiers to demand the murderers. The ambassador pleaded his public character, but the protector would admit of no excuse; and therefore being forced to deliver them up, they were all tried and convicted, by a jury half English and half foreigners; the servants (says Whitelocke †) were reprieved and pardoned; but the ambassador's brother, who was the principal, notwithstanding all the intercession that could be made for his life, was carried in a mourning-coach to Tower-hill, and beheaded. This remarkable act of justice raised the people's esteem of the protector's resolution, and of the justice of his government.

In order to a farther settlement of the nation, the protector summoned a parliament to meet at Westminster, September 3; which being reckoned one of his auspicious days he would not alter, though it fell on a Sunday; the house met accordingly, and having waited upon the protector in the painted chamber, adjourned to the next day, September 4, when his highness rode from Whitehall to Westminster with all the pomp and state of the greatest monarch: some hundreds of gentlemen went before him uncovered; his pages and lackeys in the richest liveries; the captains of his guards on each side of his coach, with their attendants, all uncovered; then followed the commissioners of the treasury, master of ceremonies, and other officers. The sword, the great seal, the purse, and four maces, were carried before him by their proper officers.

After a sermon preached by Dr. Thomas Goodwin, his highness ‡ repaired to the painted chamber, and being seated in a chair of state, raised by sundry steps, he made a speech to the members, in which he complained of the levellers and fifth monarchy men, who were for subverting the established laws, and for throwing all

\* Mr. Neal's account, as Dr. Grey remarks, does not agree with lord Clarendon: who represents Vowel as earnestly and pathetically addressing the people, and the soldiers, exhorting them to loyalty: and Gerhard as declaring, "that he was innocent, and had not entered into or consented to any plot, nor given any countenance to any discourse to that purpose." Whitelocke says, that when they were brought before the high court, they both denied all the charges alleged against them. Clarendon's History, vol. 3. p. 492; Whitelocke's Memoirs, p. 575.

† Mem. p. 577.

‡ Whitelocke, p. 582.

things back into confusion. He put them in mind of the difficulties in which the nation was involved at the time he assumed the government. "That it was at war with Portugal, Holland, and France; which together with the divisions among ourselves (says he), begat a confidence in the enemy that we could not hold out long. In this heap of confusion it was necessary to apply some remedy, that the nation might not sink; and the remedy (says he) is this government, which is calculated for the interest of the people alone, without regard to any other, let men say what they will; I can speak with comfort before a greater than you all as to my own intention. Since this government has been erected, men of the most known integrity and ability have been put into seats of justice. The chancery has been reformed. It has put a stop to that heady way for every man that will, to make himself a preacher, by settling a way for approbation of men of piety and fitness for the work. It hath taken care to expunge men unfit for that work; and now, at length, it has been instrumental of calling a free parliament.

"A peace is now made with Sweden, and with the Danes; a peace honourable to the nation, and satisfactory to the merchants. A peace is made with the Dutch, and with Portugal; and such a one that the people that trade thither have liberty of conscience, without being subject to the bloody inquisition." He then advises them to concert measures for the support of the present government, and desires them to believe, that he spoke to them not as one that intended to be a lord over them, but as one that was resolved to be a fellow-servant with them for the interest of their country; and then, having exhorted them to unanimity, he dismissed them to their house to choose a speaker.

William Lenthal, esq. master of the rolls, and speaker of the long-parliament, was chosen without opposition. The first point the house entered on was the instrument of government, which occasioned many warm debates, and was like to have occasioned a fatal breach amongst them. To prevent this the protector gave orders, September 12, that as the members came to the house they should be directed to attend his highness in the painted chamber, where he made the following remarkable speech, which is deserving the reader's careful attention: "Gentlemen, I am surprised at your conduct, in debating so freely the instrument of government; for the same power that has made you a parliament has appointed me protector, so that if you dispute the one, you must disown the other\*." He added, "that he was a gentleman by birth, and had been called to several employments in parliament, and in the wars, which being at an end, he was willing to retire to a private life, and prayed to be dismissed, but could not obtain it. That he had pressed the long-parliament, as a member, to dissolve themselves; but finding they intended to continue their sessions,

\* Dugdale's *Late Troubles*, p. 426, &c.



he thought himself obliged to dismiss them, and to call some persons together from the several parts of the nation, to see if they could fall upon a better settlement. Accordingly he resigned up all his power into their hands, but they after some time returned it back to him. After this (says he) divers gentlemen having consulted together, framed the present model without my privity, and told me, that unless I would undertake the same, blood and confusion would break in upon them; but I refused again and again, till considering that it did not put me into a higher capacity than I was in before, I consented; since which time I have had the thanks of the army, the fleet, the city of London, and of great numbers of gentry in the three nations. Now the government being thus settled, I apprehend there are four fundamentals which may not be examined into, or altered. (1.) That the government be in a single person and a parliament. (2.) That parliaments be not perpetual. (3.) The article relating to the militia. And, (4.) A due liberty of conscience in matters of religion. Other things in the government may be changed as occasion requires. Forasmuch therefore as you have gone about to subvert the fundamentals of this government, and throw all things back into confusion, to prevent the like for the future I am necessitated to appoint you a test or recognition of the government, by which you are made a parliament, before you go any more into the house\*." Accordingly at their return, they found a guard at the door denying entrance to any who would not first sign the following engagement: "I, A. B. do hereby freely promise, and engage to be true and faithful to the lord-protector of the commonwealth of England, Scotland, and Ireland, and will not propose or give my consent to alter the government, as it is settled in one single person and a parliament." About three hundred of the members signed the recognition, and having taken their places in the house, with some difficulty confirmed the instrument of government almost in every thing, but the right of nominating a successor to the present protector; which they reserved to the parliament. They voted the present lord-protector to continue for life. They continued the standing army of ten thousand horse and twenty thousand foot, and 60,000*l.* a month for their maintenance. They gave the protector 200,000*l.* a year for his civil list, and assigned Whitehall, St. James's, and the rest of the late king's houses, for his use; but they were out of humour, and were so far from shewing respect to the court, that they held no manner of correspondence with it; which together with their voting, that no one clause of what they had agreed upon should be binding, unless the whole were consented to, provoked the protector†, as derogating from his power of consenting to or refusing particular bills, and therefore, having discovered several plots against his government ready to break out, in which some of the members were concerned,

\* Whitelocke, p. 587.

† Life of Cromwell, p. 291.

he sent for them into the painted chamber, January 22 ; and after a long and intricate speech, in which, after some strong expressions in favour of liberty to men of the same faith, though of different judgments in lesser matters, he complained, that they had taken no more notice of him, either by message or address, than if there had been no such person in being ; that they had done nothing for the honour and support of the government, but spent their time in fruitless debates of little consequence, while the nation was bleeding to death ; and instead of making things easy, that they had laid a foundation for future dissatisfactions ; he therefore dissolved them, without confirming any of their acts, after they had sat five months, according to the instrument of government, reckoning twenty-eight-days to a month. This was deemed an unpopular action, and a renouncing the additional title the parliament would have given him ; but this great man with the sword in his hand was not to be jostled out of the saddle with votes and resolutions ; and if one may credit his speech, his assuming the government was not so much the effect of his own ambition, as of a bold resolution to prevent the nation's falling back into anarchy and blood.

Upon the rising of the parliament major-general Harrison, one of the chiefs of the republicans, was taken into custody ; and Mr. John Wildman, who had been expelled the house, was apprehended as he was drawing up a paper, entitled, " A declaration of the free and well-affected people of England now in arms against the tyrant Oliver Cromwell ;" which prevented the rising of that party\*.

The royalists were buying up arms at the same time, and preparing to rise in several parts of the kingdom†. They had procured commissions from the young king at Cologne, and desired his majesty to be ready on the sea-coast by the 11th of March, when there would be a revolt in the army, and when Dover-castle would be delivered into their hands. The king accordingly removed to Middleburgh in Zealand ; but the protector had intelligence of it from his spies, and declared it openly as soon as he was arrived, which intimidated the conspirators, and made them fear they were discovered : however, about the time appointed, some small parties of royalists got together in Shropshire with an intent to surprise Shrewsbury and Chirk-castle. A cart-load of arms was brought to a place of rendezvous for the northern parts, where they were to be headed by Wilmot, earl of Rochester ; but they no sooner met but they dispersed for fear of being fallen upon by the regular troops. In the west sir Joseph Wagstaffe, colonel Penruddock, captain Hugh Grove, Mr. Jones, and others, entered the city of Salisbury, with two hundred horse well armed, in the time of the assizes, and seized the judges Rolls and Nichols, with the sheriff of the county, whom they resolved

\* Whitlocke, p. 600.

† Clarendon, vol. 3. p. 551.



to hang. They proclaimed the king, and threatened violence to such as would not join them; but the country not coming in according to their expectations they were intimidated, and after five or six hours marched away into Dorsetshire, and from thence to Devonshire, where captain Crook overtook them, and with one single troop of horse defeated and took most of them prisoners; Penruddock and Grove were beheaded at Exeter; and some few others were executed at Salisbury, the place where they had so lately triumphed.

The vigilance of the protector on this occasion is almost incredible; he caused a great many suspected lords and gentlemen to be secured; he sent letters to the justices of peace in every county, whom he had already changed to his mind, commanding them to look out, and secure all persons who should make the least disturbance. And his private intelligence of people's discourse and behaviour, in every corner of the land, never failed\*.

If the reader will duly consider the danger arising from these commotions, and the necessity of striking some terror into the authors of them, he will easily account for the protector's severity against the royalists; when therefore the insurrection was quashed, he resolved to make the whole party pay the expense; and accordingly, with the consent of his council, published an order, "that all who had been in arms for the king, or had declared themselves of the royal party, should be decimated; that is, pay a tenth part of their estates, to support the charge of such extraordinary forces as their turbulent and seditious practices obliged him to keep up; for which purpose commissioners were appointed in every county, and considerable sums were brought into the treasury." To justify this extraordinary procedure, the protector published another declaration; in which he complains of the irreconcilableness of those who had adhered to the king, towards all those who had served their country on the side of the parliament; that they were now to be looked upon as public enemies, and to be kept from being able to do mischief, since it sufficiently appeared that they were always disposed to do all they could. Upon these accounts he thought it highly reasonable, and declares it to be his resolution, that if any desperate attempts were undertaken by them for the future, the whole party should suffer for it.

To return to the affairs of religion: though the Presbyterian discipline was at a low ebb, it was still the established religion of the nation. The provincial assembly of London continued their sessions at Sion-college every half year, and endeavoured to support the dignity of the ministerial office. Complaint having been made that the pulpit-doors were set open to laymen, and gifted brethren, they appointed a committee to collect materials for the vindication of the ministerial character, which being revised by the synod, was published this summer under the title

\* Whitelocke, p. 602.

of "*Jus Divinum Ministerii Evangelici: or, the Divine Right of an Evangelical Ministry, in two parts. By the provincial assembly of London. With an appendix, of the judgment and practice of antiquity.*"

In the debates of parliament upon the instrument of government it was observed, that by the thirty-seventh article, all who professed faith in God by Jesus Christ should be protected in their religion\*. This was interpreted to imply an agreement in fundamentals. Upon which it was voted, that all should be tolerated or indulged who professed the fundamentals of Christianity; and a committee was appointed to nominate certain divines to draw up a catalogue of fundamentals to be presented to the house: the committee being above fourteen, named each of them a divine; among others archbishop Usher was nominated, but he declining the affair, Mr. Baxter was appointed in his room; the rest who acted were,

Dr. Owen  
Dr. Goodwin  
Dr. Cheynel  
Mr. Marshal

Mr. Reyner  
Mr. Nye  
Mr. Sydrach Simpson

Mr. Vines  
Mr. Manton  
Mr. Jacomb.

Mr. Baxter† would have persuaded his brethren to offer the committee the Apostles' creed, the Lord's prayer, and the ten commandments, alone, as containing the fundamentals of religion; but it was objected, that this would include Socinians and Papists. Mr. Baxter replied, that it was so much fitter for a centre of unity or concord, because it was impossible, in his opinion, to devise a form of words which heretics would not subscribe, when they had perverted them to their own sense. These arguments not prevailing, the following articles were presented to the committee, but not brought into the house; under the title of "*The principles of faith, presented by Mr. Thomas Goodwin, Mr. Nye, Mr. Sydrach Simpson, and other ministers, to the committee of parliament for religion, by way of explanation to the proposals for propagating the gospel.*"

1st. That the Holy Scripture is that rule of knowing God and living unto him, which whoso does not believe cannot be saved.—2 Thess. ii. 10—12. 15. 1 Cor. xv. 1—3. 2 Cor. i. 13. John v. 39. 2 Peter ii. 1.

2dly. That there is a God, who is the creator, governor, and judge, of the world, which is to be received by faith, and every other way of the knowledge of him is insufficient.—Heb. xi. 3. 6. Rom. i. 19—22. 1 Cor. i. 21. 2 Thess. i. 8.

3dly. That this God, who is the creator, is eternally distinct from all creatures in his being and blessedness.—Rom. i. 18. 25. 1 Cor. viii. 5, 6.

4thly. That this God is one in three persons or subsistences.—

\* Baxter's Life, part 2. p. 197.

† Life, part 2. p. 198.



1 John v. 5—9, compared with John viii. 17—19. 21. Matt. xxviii. 19, compared with Ephesians iv. 4—6. 1 John ii. 22, 23. 2 John 9, 10.

5thly. That Jesus Christ is the only mediator between God and man, without the knowledge of whom there is no salvation.—1 Tim. ii. 4—6. 2 Tim. iii. 15. 1 John ii. 22. Acts iv. 10. 12. 1 Cor. iii. 10, 11.

6thly. That this Jesus Christ is the true God.—1 John v. 29. Isaiah xlv. 21—25.

7thly. That this Jesus Christ is also true man.—1 John iv. 2, 3. 2 John 7.

8thly. That this Jesus Christ is God and man in one person.—1 Tim. iii. 16. Matt. xvi. 13—18.

9thly. That this Jesus Christ is our redeemer, who by paying a ransom, and bearing our sins, has made satisfaction for them.—Isaiah liii. 11. 1 Pet. ii. 24, 25. 1 Cor. xv. 2, 3. 1 Tim. ii. 4—6.

10thly. That this same Lord Jesus Christ is he that was crucified at Jerusalem, and rose again, and ascended into heaven.—John viii. 24. Acts iv. 10—12. Acts x. 33—43. 1 Cor. xv. 2—8. Acts xxii. 2. Acts ii. 36.

11thly. That this same Jesus Christ, being the only God and man in one person, remains for ever a distinct person from all saints and angels, notwithstanding their union and communion with him.—Col. ii. 8—10. 1 Tim. iii. 16.

12thly. That all men by nature are dead in sins and trespasses; and no man can be saved unless he be born again, repent and believe.—John iii. 3. 5—7. 10. Acts xvii. 30, 31. Acts xxvi. 17—20. Luke xxiv. 47. Acts xx. 20, 21. John v. 24, 25.

13thly. That we are justified and saved by grace, and faith in Jesus Christ, and not by works.—Acts xv. 24, compared with Gal. i. 6—9. Gal. v. 2, 4, 5. Rom. ix. 31—33. Rom. x. 3, 4. Rom. i. 16, 17. Gal. iii. 11. Ephes. ii. 8—10.

14thly. That to continue in any known sin, upon what pretence or principle soever, is damnable.—Rom. i. 32. Rom. vi. 1, 2. 15, 16. 1 John, i. 6. 8. and iii. 3—8. 2 Pet. ii. 19, 20. Rom. viii. 13.

15thly. That God is to be worshipped according to his own will; and whosoever shall forsake and despise all the duties of his worship cannot be saved.—Jer. x. 15. Psalm xiv. 4. Jude 18—21. Rom. x. 13.

16thly. That the dead shall rise; and that there is a day of judgment, wherein all shall appear, some to go into everlasting life, and some into everlasting condemnation.—1 Tim. i. 19, 20, compared with 2 Tim. ii. 17, 18. Acts xvii. 30, 31. John v. 28, 29. 1 Cor. xv. 19.

Mr. Baxter \* says, Dr. Owen worded these articles; that Dr.

\* Life, p. 205.

Goodwin, Mr. Nye, and Mr. Simpson, were his assistants; that Dr. Cheynel was scribe; and that Mr. Marshal, a sober worthy man, did something; but that the rest were little better than passive. He adds, that twenty of their propositions were printed, though in my copy, licensed by Scobel, there are only sixteen: however, the parliament being abruptly dissolved, they were all buried in oblivion.

It appears by these articles, that these divines intended to exclude, not only Deists, Socinians, and Papists, but Arians, Antinomians, Quakers, and others. Into such difficulties do wise and good men fall, when they usurp the kingly office of Christ, and pretend to restrain that liberty which is the birthright of every reasonable creature! It is an unwarrantable presumption for any number of men to declare what is fundamental in the Christian religion, any further than the Scriptures have expressly declared it. It is one thing to maintain a doctrine to be true, and another to declare, that without the belief of it no man can be saved: none may say this but God himself. Besides, why should the civil magistrate protect none but those who profess faith in God by Jesus Christ? If a colony of English merchants should settle among the Mahometans or Chinese, should we not think that the government of those countries ought to protect them in their religion as long as they invaded no man's property, and paid obedience and submission to the government under which they lived? Why then should Christians deny others the same liberty?

The protector and his council were in more generous sentiments of liberty, as will appear hereafter\*. Mr. Baxter says†, the protector and his friends gave out, that they could not understand what the magistrates had to do in matters of religion; they thought that all men should be left to the liberty of their own consciences, and that the magistrate could not interpose without ensnaring himself in the guilt of persecution. And were not these just and noble sentiments, though the parliament would not accept them? His highness therefore, in his speech at their dissolution, reproaches them in these words‡:—"How proper is it to labour for liberty, that men should not be trampled upon for their consciences! Have we not lately laboured under the weight of persecution; and is it fit then to sit heavy upon others? Is it ingenuous to ask liberty, and not to give it? What greater hypocrisy, than for those who were oppressed by the bishops to become the greatest oppressors themselves, so soon as their yoke is removed? I could wish, that they who call for liberty now also, had not too much of that spirit, if the power were in their hands. As for

\* "Bigotry (says Dr. Harris) made no part of Cromwell's character!" and he proves the truth of his assertion by a full elucidation and a minute detail. *Life of Cromwell*, p. 37—45.—Ed.

† *Life*, p. 193.

‡ *Life of Cromwell*, p. 307.



profane persons, blasphemers, such as preach sedition, contentious railers, evil-speakers, who seek by evil words to corrupt good manners, and persons of loose conversation, punishment from the civil magistrate ought to meet with them; because if these pretend conscience, yet walking disorderly, and not according, but contrary to, the gospel and natural light, they are judged of all, and their sins being open, make them the subject of the magistrates' sword, who ought not to bear it in vain."

Agreeable to these principles, Dr. George Bates, an eminent royalist, and a great enemy of Cromwell's, writes, "that the protector indulged the use of the Common Prayer in families, and in private conventicles; and though the condition of the church of England was but melancholy, yet (says the doctor) it cannot be denied, but they had a great deal more favour and indulgence than under the parliament; which would never have been interrupted had they not insulted the protector, and forfeited their liberty by their seditious practices and plottings against his person and government."

The approbation of public ministers had been hitherto reserved to the several presbyteries in city and country; but the protector observing some inconvenience in this method, and not being willing to intrust the qualification of candidates all over England to a number of Presbyterians only, who might admit none but those of their own persuasion, contrived a middle way of joining the several parties together, and intrusting the affair with certain commissioners of each denomination, men of as known abilities and integrity as any the nation had\*. This was done by an ordinance of council bearing date March 20, 1653—4; the preamble to which sets forth, "that whereas for some time past, there had not been any certain course established for supplying vacant places with able and fit persons to preach the gospel, by reason whereof the rights and titles of patrons were prejudiced, and many weak, scandalous, Popish, and ill-affected persons had intruded themselves, or been brought in; for remedy of which it is ordained by his highness the lord-protector, by and with the consent of his council, that every person who shall, after the 25th of March, 1654, be presented, nominated, chosen, or appointed, to any benefice with care of souls, or to any public settled lecture in England or Wales, shall, before he be admitted, be examined and approved by the persons hereafter named, to be a person, for the grace of God in him, his holy and unblameable conversation, as also for his knowledge and utterance, able and fit to preach the gospel†." Among the commissioners were eight or nine laymen, the rest ministers; their names were,

\* Baxter's Life, p. 72.

† Scobel, p. 279.

Francis Rouse, esq.	Rev. Dr. Horton	Rev. Mr. Walter Craddock
Alderman Tichbourne	Thankful Owen, M.A.	Mr. Samuel Fairclough
Mark Hildesley, esq.	Mr. Joseph Caryl	Mr. Hugh Peters
Thomas Wood, esq.	Mr. Philip Nye	Mr. Peter Sterry
John Sadler, esq.	Mr. William Carter	Mr. Samuel Bamford
William Goffe, esq.	Mr. Sydrach Simpson	Thomas Valentine, of
Thomas St. Nicholas, esq.	Mr. William Greenhill	Chaford, B.D.
William Packer, esq.	Mr. William Strong	Mr. Henry Jesse
Edward Cresset, esq.	Dr. Thomas Manton	Mr. Obadiah Sedgwick
Rev. Dr. John Owen	Mr. Samuel Slater	Mr. Nicholas Lockyer
Dr. Thomas Goodwin	Mr. William Cooper	Mr. Dan. Dike
Dr. Arrowsmith	Mr. Stephen Marshall	Mr. James Russel
Dr. Tuckney	John Tombes, B.D.	Mr. Nath. Campfield.

These were commonly called triers; in all thirty-eight; of whom some were Presbyterians, others Independents, and two or three were Baptists. Any five were sufficient to approve; but no number under nine had power to reject a person as unqualified. In case of death, or removal of any of the commissioners, their numbers were to be filled up by the protector and his council; or by the parliament, if sitting. But some of the Presbyterian divines declined acting, for want of a better authority; or because they did not like the company; though the authority was as good as any these times could produce till the next sessions of parliament\*. By an ordinance of September 2, 1654, I find the Rev. Mr. John Rowe, Mr. John Bond, Mr. George Griffith of the Charter-house, Mr. John Turner, and Godfrey Bosville, esq., added to the commissioners above mentioned.

To such as were approved, the commissioners gave an instrument in writing under a common seal for that purpose, by virtue of which they were put into as full possession of the living to which they were nominated or chosen, as if they had been admitted by institution and induction.

It was farther provided, that all who presented themselves for approbation should produce a certificate signed by three persons at least of known integrity, one of whom to be a preacher of the gospel in some settled place, testifying on their personal knowledge the holy and good conversation of the person to be admitted; which certificate was to be registered and filed. And all penalties for not subscribing, or reading the articles of religion, according to the act of 13 Eliz., were to cease and be void.

And forasmuch as some persons might have been preferred to livings within the last twelvemonth, when there was no settled method of approbation, the ordinance looks back and ordains, "that no person who had been placed in any benefice or lecture since April 1, 1653, should be allowed to continue in it, unless he got himself approved by the 24th of June, or at farthest the 23rd of July, 1654."

It is observable, that this ordinance provides no security for the civil government, the commissioners not being empowered to administer an oath of allegiance or fidelity to the protector. By this

\* Scobel, p. 366.



means some of the sequestered clergy, taking advantage of the act of oblivion in 1651, passed their trials before the commissioners and returned to their livings. The protector being advised of this defect, by advice of his council, published an additional ordinance, September 2, 1654, requiring the commissioners not to give admission to any who had been sequestered from their ecclesiastical benefices for delinquency, till by experience of their conformity, and submission to the present government, his highness and his council should be satisfied of their fitness to be admitted into ecclesiastical promotions; and the same to be signified to the said commissioners \*. Both these ordinances were confirmed by parliament in the year 1656, with this proviso, "that the commissioners appointed by his highness in the intervals of parliament should afterward be confirmed by the succeeding parliament." Another defect in the ordinance was, that it did not appoint some standard or rule for the triers to go by; this would have taken off all odium from themselves, and prevented a great many needless disputes; but, as matters now stood, men's qualifications were perhaps left too much to the arbitrary opinions and votes of the commissioners. After examination they gave the candidate a copy of the presentation in these words †: "Know all men by these presents, that the — day of —, in the year, —, there was exhibited to the commissioners for examination of public ministers, a presentation of Mr. — to the rectory of —, in the county of —, made to him by Mr. —, the patron thereof, under his hand and seal, together with a testimony of his holy and godly conversation. Upon perusal, and due consideration of the premises, and finding him to be a person qualified, as in and by the ordinance for such qualifications is required, the commissioners above mentioned have adjudged and approved the said Mr. — to be a fit person to preach the gospel, and have granted him admission, and do admit the said Mr. — to the rectory of — aforesaid, to be full and perfect possessor and incumbent thereof: and do hereby signify to all persons concerned therein, that he is hereby entitled to all the profits and perquisites, and to all rights and dues incident and belonging to the said rectory, as fully and effectually as if he had been instituted and inducted according to any such laws and customs as have in this case formerly been made or used in this realm. In witness whereof they have caused the common seal to be hereunto affixed, and the same to be attested by the hand of the registrar, by his highness in that behalf appointed. Dated at —, the — day of —, in the year —.

"(L. S.)

JOHN NYE, Reg."

Loud complaints have been made against these triers; Mr. Collyer objects to there being eight laymen among the commissioners, and that any five having power to act, it might some-

\* Scobel, p. 366.

† Calamy, vol. 2. p. 247.

times happen that none but secular men might determine the qualifications of such who were to preach and administer the sacraments.

Mr. John Goodwin, an Independent divine of Arminian principles, observes, the triers made their own narrow Calvinian sentiments in divinity the door of admission to all church-preferments; and that their power was greater than the bishops', because the laws had provided a remedy against their arbitrary proceedings, by a *quare impedit*; or if the bishop might determine absolutely of the qualifications of the candidate or clerk to be admitted into a living, yet these qualifications were sufficiently specified, and particularized in the ecclesiastical laws or canons, and the bishop might be obliged, by due course of law, to assign the reasons of his refusal; whereas the determinations of these commissioners for approbation were final; nor were they obliged so much as to specify any reason for their rejecting any person, but only their vote, *not approved*.

It was farther complained of as a very great hardship, that "there was but one set of triers for the whole nation, who resided always at London, which must occasion great expense, and long journeys, to such as lived in the remoter counties." But to remedy this inconvenience, Dr. Walker says\*, they appointed sub-commissioners in the remoter counties. And, according to Mr. Baxter, if any were unable to come to London, or were of doubtful qualifications, the commissioners of London used to refer them to some ministers in the county where they lived; and under their testimonial they approved or rejected them. Amidst such variety of sentiments it was next to impossible to please all parties; when there were no triers, the complaint was, that the pulpit-doors were left open to all intruders, and "now they cannot agree upon any one method of examination." And it must be left to every one's judgment, whether a bishop and his chaplain, or a classis of presbyters, or the present mixture of laity and clergy, be most eligible.

The chief objections against these triers has been to the manner of executing their powers. Bishop Kennet says†, "that this holy inquisition was turned into a snare to catch men of probity, and sense, and sound divinity, and to let none escape but ignorant, bold, canting fellows; for these triers (says the bishop) asked few or no questions in knowledge or learning, but only about conversation, and the grace of God in the heart, to which the readiest answers would arise from infatuation in some, and the trade of hypocrisy in others. By this means the rights of patronage were at their pleasure, and the character and abilities of divines whatever they pleased to make them, and churches were filled with little creatures of the state." But the bishop has produced no examples of this; nor were any of these canting little creatures

\* Walker, p. 172.

† Complete History, p. 209.



turned out for insufficiency at the Restoration. Dr. George Bates, an eminent Royalist, with a little more temper and truth, says, "that they inquired more narrowly into their affection to the present government, and into the eternal marks and character of the grace of God in their heart, than into their learning; by which means many ignorant laics, mechanics, and pedlars, were admitted to livings, when persons of greater merit were rejected." But it may be observed again, that, ignorant as they were, not one of the mechanics or pedlars who conformed at the Restoration was ejected for insufficiency. When the commissioners had to do with persons of known learning, sobriety, reputed orthodoxy, and a peaceable behaviour, they made but little inquiry into the marks of their conversation; as appears from the example of Mr. Fuller the historian, who being presented to a living was approved by the triers, without giving any other evidence of the grace of God in him than this, that he made conscience of his thoughts.

Dr. Walker has published the examinations of two or three clergymen, who were notorious for their malignity and disaffection to the government, whom the commissioners puzzled with dark and abstruse questions in divinity, that they might set them aside, without encountering their political principles; for when they had private intimations of notorious malignants to come before them, they frequently had recourse to this method; though it is not unlikely that, upon some other occasions, they might lay too great stress upon the internal characters of regeneration, the truth of which depends entirely upon the integrity of the respondent. But I believe not a single instance can be produced of any who were rejected for insufficiency without being first convicted either of immorality, of obnoxious sentiments in the Socinian or Pelagian controversy, or of disaffection to the present government. Mr. Sadler, who was presented to a living in Dorsetshire, but rejected by the triers, published his examination in a pamphlet, which he calls *Inquisitio Anglicana*, wherein he endeavours to expose the commissioners in a very contemptuous manner; but Mr. John Nye, clerk to the commissioners, followed him with an answer entitled, "Sadler examined; or, his Disguise discovered;" shewing the gross mistakes and most notorious falsehoods in his dealings with the commissioners for approbation of public preachers\*, in his *Inquisitio Anglicana*. To which Mr. Sadler never replied.

Dr. George Bates and Dr. Walker have charged the triers with simony, upon no other proof, but that Hugh Peters said once to Mr. Camplin, a clergyman of Somersetshire, upon his applying to him, by a friend, for dispatch, "Has thy friend any money?" a slender proof of so heavy a charge. They who are acquainted with the jocose conversation of Hugh Peters, will not wonder at such an expression. But I refer the reader back to the names and characters of the commissioners, most of whom were men of unquestionable probity, for a sufficient answer to this calumny.

\* Athen. Oxon. vol. 2. p. 370.

No doubt the triers did commit sundry mistakes, which it was hardly possible to avoid in their station. I am far from vindicating all their proceedings; they had a difficult work on their hands, lived in times when the extent of Christian liberty was not well understood, had to deal with men of different principles in religion and politics; and those who were not approved, would of course complain. Had this power been lodged with the bishops of these times, or their chaplains; or with the high Presbyterians, would they not have had their shibboleth, for which ill-natured men might have called them a holy inquisition? But Mr. Baxter has given a very fair and candid account of them; his words are these, "Because this assembly of triers is most heavily accused and reproached by some men, I shall speak the truth of them, and suppose my word will be taken, because most of them took me for one of their boldest adversaries: the truth is, though their authority was null, and though some few over-rigid and over-busy Independents among them were too severe against all that were Arminians, and too particular in inquiring after evidences of sanctification in those whom they examined; and somewhat too lax in admitting of unlearned and erroneous men, that favoured Antimonianism or Anabaptism; yet, to give them their due, they did abundance of good to the church. They saved many a congregation from ignorant, ungodly, drunken teachers, that sort of men who intend no more in the ministry than to say a sermon, as readers say their common prayers on a Sunday, and all the rest of the week go with the people to the alehouse, and harden them in sin; and that sort of ministers who either preached against a holy life, or preached as men that were never acquainted with it; these they usually rejected, and in their stead admitted of any that were able, serious preachers, and lived a godly life, of what tolerable opinion soever they were; so that though many of them were a little partial for the Independents, separatists, fifth monarchy men, and Anabaptists, and against the Prelatists and Arminians, yet so great was the benefit above the hurt which they brought to the church, that many thousands of souls blessed God for the faithful ministers whom they let in, and grieved when the Prelatists afterward cast them out again\*."

The commissioners were not empowered to look farther back than one year before the date of the ordinance that constituted them. All who were in possession of livings before that time were out of their reach; nor would the protector have given these any disturbance, had he not received certain information of their stirring up the people to join the insurrection that was now on foot for the restoration of the king. They continued sitting at Whitehall till the protector's death, or the year 1659, and were then discontinued.

But to humble the clergy yet farther, and keep them within

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\* Baxter's Life, p. 72.



the bounds of their spiritual function, his highness, by the advice of his council, published an ordinance, bearing date August 28, 1654, entitled, "An ordinance for ejecting scandalous, ignorant, and insufficient ministers and school-masters." The ordinance appoints and nominates certain lay-commissioners for every county, and joins with them ten or more of the gravest and most noted ministers, their assistants, and empowers any five or more of them to call before them any public preacher, lecturer, parson, vicar, curate, or schoolmaster, who is or shall be reputed ignorant, scandalous, insufficient, or negligent; and to receive all articles or charges that shall be exhibited against them on this account; and to proceed to the examination and determination of such offences, according to the following rules\*.

"Such ministers and schoolmasters shall be accounted scandalous in their lives and conversations, as shall hold or maintain such blasphemous or atheistical opinions, as are punishable by the act, entitled 'An act against several blasphemous and atheistical opinions,' &c., or that shall be guilty of profane swearing and cursing, perjury, and subornation of perjury; such as maintain any Popish opinions, required to be abjured by the oath of abjuration; or are guilty of adultery, fornication, drunkenness, common haunting of taverns or alehouses; frequent quarrellings or fightings; frequent playing at cards or dice; profaning of the sabbath; or that do allow and countenance the same in their families, or in their parishes. Such as have frequently read or used the Common Prayer-book in public since the first of January last; or shall at any time hereafter do the same. Such as publicly and profanely scoff at the strict profession or professors of godliness. Such as encourage or countenance Whitsun-ales, wakes, morrice-dancing, may-poles, stage-plays, or such-like licentious practices. Such as have declared, or shall declare, by writing, preaching, or otherwise publishing, their disaffection to the present government.

"Such ministers shall be accounted negligent, as omit the public exercise of preaching and praying on the Lord's day (not being hindered by necessary absence or infirmity of body); or that are or shall be non-residents. Such schoolmasters shall be accounted negligent as absent themselves from their schools, and wilfully neglect to teach their scholars.

"Such ministers or schoolmasters shall be accounted ignorant and insufficient, as shall be so declared and adjudged by the commissioners in every county, or any five of them, together with five of the ministers mentioned in the ordinance."

The lay-commissioners were to proceed upon oath, both for and against the person accused; but in cases of ignorance or insufficiency, they were to be joined by five of the assistant clergy at least: and if ten of the commissioners, whereof five to be ministers, gave it under their hands, that the party was ignorant or insuffi-

\* Scobel, p. 335. 340.

cient, then the said minister or schoolmaster was to be ejected, and the said judgment entered in a register-book with the reason thereof. After ejectionment, the party might not preach or teach school in the parish from whence he was ejected; but convenient time was to be allowed for his removal, and the fifths reserved for the support of his family. The rightful patron was to present to the vacant living an approved preacher; and in case of lapse it fell to the protector and his council.

This ordinance being confirmed by the parliament of 1656, gave great offence to the old clergy; Mr. Gatford, the sequestered rector of Denington, published a pamphlet, entitled "A Petition for the Vindication of the Use of Common Prayer, &c.," occasioned by the late ordinance for ejecting scandalous ministers; as also thirty-seven queries concerning the said ordinance; which he presented to the parliament, which met September 3, 1654; but they took no notice of it.

Mr. Gatford observes, that the protector and his council had no legal authority to make this or any other ordinance without consent of a parliament: whereas the instrument of government empowered them to provide for the safety of the state, by making laws till the parliament should meet. He observes farther, that, such a proceeding must justify his late majesty and council in all their illegal proceedings before the civil wars; that it would justify the high-commission court; and that, by the same authority, an ordinance might be published to eject freeholders out of their estates.

He complains, that the power of the commissioners is final and admits of no appeal; that it looks back to crimes antecedent to the law for a twelvemonth; whereas it ought only to declare, that for the future such offences shall be punished with deprivation.

That the commissioners who were to sit in judgment upon the clergy were all laymen, the ministers being called in only in cases of ignorance and insufficiency; that the ordinance admits of the oath of one witness, provided it be supported with other concurrent evidence, which is contrary to the laws of God and man.

That some crimes in the ordinance were none at all, and others of a very doubtful nature; as how often a minister omitting to pray and preach in his pulpit should render him negligent; and what should be deemed non-residence. Above all, he complains that the public reading of the Common Prayer should be ranked with the sins of swearing and drunkenness, and be an evidence of a scandalous life and conversation; which observation was unquestionably just.

To give the reader an example or two of the proceedings of the commissioners: those for Berkshire summoned Dr. Pordage, rector of Bradfield, to appear before them at Speenhamland, near Newbury, to answer to divers articles of blasphemy and heresy. After several days' hearing and witnesses produced on



both sides, the commissioners determined, December, 8, 1654, that the said doctor was guilty of denying the Deity of Christ; the merits of his precious blood and passion; and several other such-like opinions. It is farther declared under the hands of six of the commissioners, and a sufficient number of ministers their assistants, that the said doctor was ignorant, and insufficient for the work of the ministry; it is therefore ordered, that the said doctor be and he is hereby ejected out of the rectory of Bradfield, and the profits thereof; but the said commissioners do grant him time, till the 2nd of February, to remove himself, his family, his goods and chattels, out of the said parsonage-house; and farther time to remove his corn out of the barns, till the 23rd of March.

The Oxford historian says, this Pordage was a doctor by Charentismus, and had been preacher of St. Lawrence-church in Reading before he came to Bradfield\*. That he was a mystic enthusiast, and used to talk of the fiery Deity of Christ dwelling in the soul, and mixing itself with our flesh†. He dealt much in astrology, and pretended to converse with the world of spirits. After his ejection he wrote against the commissioners a pamphlet, entitled, "Innocency appearing;" which was answered by Mr. Christopher Fowler, vicar of St. Mary, Reading, in his *Dominium Meridianum*. However, the doctor was restored to his living, at Bradfield, at the Restoration.

The Wiltshire commissioners summoned Mr. Walter Bushnel, vicar of Box near Malmesbury, before them, to answer to a charge of drunkenness, profanation of the sabbath, gaming, and disaffection to the government‡; and after a full hearing, and proof upon oath, they ejected him. The vicar prepared for the press, "A narrative of the proceedings of the Commissioners appointed by O. Cromwell for ejecting scandalous and ignorant ministers, in the case of Walter Bushnel," &c, but it was not printed till the king's restoration; and even then the commissioners did themselves justice in a reply, which they entitled, "A vindication of the Marlborough Commissioners, by the Commissioners themselves." And Dr. Chambers, who was reproached by the said Bushnel, did himself justice in a distinct vindication. However, the vicar was restored to his vicarage in a lump with the rest at the Restoration.

\* Athen. Oxon. vol. 2. p. 450.

† Mr. Neal is not correct here. For, as Dr. Grey observes, this passage is not in the Oxford historian. It is probable that Mr. Neal took this charge against Dr. Pordage, either from his narrative of the proceedings of the commissioners, or from Mr. Fowler's animadversions: though, by not specifying his author, the reader is led to suppose that the whole paragraph is grounded on the representation of the Oxford historian. He, it should be also noticed, does not ascribe a skill in astrology to Dr. Pordage; but says, that "Mr. Ashmole commended him for his knowledge in, and so great affection to, astronomy."—ED.

‡ This last, Dr. Grey supposes, was the main reason; for Wood says, "he continued at Box in good esteem the greatest part of the interrupted times, but was at length ejected from his living in the reign of Oliver." Athen. Oxon. vol. 2. p. 2.—E73D.

Upon the whole, the industrious Dr. Walker says, he can find no footsteps of the numbers of the clergy that were ejected by the commissioners, though he imagines they might be considerable. But I am well satisfied there were none of any considerable character; for there were not a great many zealous loyalists in livings at this time; and those that were had the wisdom to be silent about public affairs, while they saw the eyes of the government were upon them in every corner of the land. The commissioners continued to act till some time after the protector's death, and were a greater terror to the fanatics and visionaries of those times, than to the regular clergy of any denomination.

The protector and his council passed another ordinance, August 30, for the service of Wales, appointing sir Hugh Owen, and about eighteen other commissioners, for the six counties of South Wales, with the county of Monmouth; and Matthew Morgan, with about twelve other commissioners, for the six counties of North Wales; any three of which were empowered to call before them all such who, by authority of the act for propagating the Gospel in Wales, had received or disposed of any of the profits of the rectories, vicarages, &c. in that principality; and to give an account, upon oath, of all such rents and profits; and the surplus money, in the hands of the commissioners, to be paid into the exchequer\*.

To set this affair before the reader in one view: the principality of Wales, by reason of the poverty of the people, and the small endowments of church-livings, was never well supplied with a learned or pious clergy; the people were generally very ignorant, and only one remove from Heathens. In 1641, a petition was presented to the king and parliament, which declares, that there were not so many conscientious and constant preachers in Wales as there were counties; and that these were either silenced or much persecuted†. The civil wars had made their condition worse; for as they generally adhered to the king, and received great numbers of Irish Papists into their country, their preachers went into his majesty's service, or fled from their cures, when the parliament-forces took possession of it. After the king's death the parliament passed the ordinance already mentioned, for the better propagating of the preaching of the gospel in Wales, and for ejecting scandalous ministers and schoolmasters, and for redress of some grievances; it bears date February 22, 1649, and empowers the commissioners therein mentioned, or any twelve of them, to receive and dispose of all and singular rents, issues, and profits, of all ecclesiastical livings, impropriations, and glebelands, within the said counties, which then were or afterward should be under sequestration, or in the disposal of the parliament, and out of them to order and appoint a constant yearly

\* Scobel, p. 347. † Calamy's Com. of Church and Dissenters, p. 47, note.



maintenance for such persons as should be recommended, and approved for the work of the ministry, or education of children; and for such other ministers as were then residing in the said counties. The ordinance to continue in force for three years, from March 25, 1650.

By virtue of this ordinance many clergymen were ejected, but not all, for in Montgomeryshire eleven or twelve remained, as did several in other counties; but all who were ejected were so for manifest scandal\*. Afterward complaints being made, that the people were turning Papists or Heathens, for want of the word of

God, several were sent into Montgomeryshire, where there were at least sixteen preachers, of which ten were university-men, the meanest of whom were approved and settled in parishes at the Restoration. The commissioners were empowered to examine into the behaviour of such as were reputed ignorant, insufficient, non-resident, scandalous, or enemies to the present government. And it being impossible to fill up the vacant livings with such as could preach in the Welsh language, the revenues were to be collected and brought into a common treasury, out of which 100*l.* per annum was to be given to sundry itinerant preachers in each county.

Dr. Walker says, that, from the account drawn up by the commissioners themselves in April 1652, it appears that there had been ejected in South Wales and Monmouthshire one hundred and seventy-five ministers; that is, fifty-six from the year 1645 to the time when this act took place, and one hundred and nineteen by the present commissioners. Mr. Vavasor Powel, who had a chief hand in the sequestrations, says, that by virtue of this act between fifty and sixty of the old clergy were dispossessed of their livings when he wrote. Upon the whole, the commissioners, who continued to act as long as the protector lived, charge themselves with between three hundred and twenty and three hundred and thirty several and distinct livings; but there could not be an equal number of sequestered clergymen, because in the compass of seven years a great many must die; some fled, or were killed in the wars; in many parishes the tithes were not duly paid by reason of the confusion of the times, and the livings being but from 5 to 10 or 20*l.* a year, most of the incumbents were pluralists. It is computed that about one half of the church lands and revenues in the principality of Wales, by the several accidents of death, desertion, sequestration, &c., fell into the hands of the government before the expiration of this ordinance in 1653, the profits of which, if duly collected and paid, must amount to a very considerable sum. There were thirteen counties in North and South Wales within the limits of the commission; but the largest sum that the sequestrators and agents charge themselves with for the county of Brecknock, in any one year, till the year

† Calamy's Com. of Church and Dissenters, p. 47.

1658, when the propagation had subsisted eight years, is 1,543*l.*, by which the reader may make a tolerable computation of the whole; and if we may believe Mr. Whitelocke\*, who lived through these times, in the year 1653 there were one hundred and fifty good preachers in the thirteen Welsh counties, most of whom preached three or four times a week; that in every market-town there was a schoolmaster, and in most great towns two able, learned, and university men; and that the tithes were all employed to the uses directed by act of parliament†, there can be no great reason to complain of the negligence of the commissioners.

The crimes for which the old clergy were ejected, were, malignancy, insufficiency, drunkenness, and negligence of their cures. Mr. Vavasor Powel says, that of all the men they had put out in North Wales, he knew not any that had the power of godliness, and very few the form; but that most of them were unpreaching curates, or scandalous in their morals. The commissioners affirm, that of the sixteen they had dispossessed in Cardiganshire, there were but three that were preachers, and those most scandalous livers. And Mr. Baxter admits, that they were all weak, and bad enough for the most part. But the writers on the other side say, that the commissioners had no regard to ability in preaching, or sobriety in conversation. And Dr. Walker thinks, the sequestered Welsh clergy need no other vindication than to let the world know, that many of them were graduates in the university; as if every graduate must of course be possessed of all ministerial qualifications. There might possibly be some few pious and industrious preachers among the ejected Welsh clergy; but they who will argue very strenuously in favour of the body of them, must know very little of the country, or their manner of life.

It was not in the power of the commissioners to find a succession of pious and learned preachers in the Welsh language; but, to remedy this in the best manner they could, they appointed six itinerant preachers of university education for each county, to whom they allowed 100*l.* a year; besides which they sent out thirty-two ministers, of whom twenty-four were university-men, and some of the rest good scholars; but these were too few for the work, though they were indefatigable in their labours. To supply what was farther wanting, they approved of several gifted laymen, members of churches, to travel into the neighbourhood, and

\* Memor. p. 518.

† These uses and the proportions of the appropriation were as follows: viz. The tithes were divided into six parts; one of which went to the ejected ministers; a second to other settled and itinerant ministers; a third to maintain schools, of some of which the ejected ministers and their sons were masters; a fourth to the widows and children of the ejected ministers; a fifth to under-officers, as treasurers, solicitors, sequestrators, &c.; and a sixth to the widows of deceased ministers. Whitelocke's Mem. p. 518; Calamy's Church and Dissenters Compared, p. 47, note.—Ed.



assist the people's devotions, and to these they allowed from 17 to 20*l.* per annum. In an article of the sequestrators' accounts there appears 340*l.* per annum distributed among godly members of the church of Lanvacles, and Mynthists Loyn, who had been sent out to exercise their gifts among the Welsh mountaineers, and to help forward the work of the Lord. Many others of the same quality were approved by the commissioners, who went through great difficulties and hardships in their work. Mr. Powel says, that some hundreds, if not thousands, had been converted and reformed by the propagators\*. But, after all, it must be confessed, that at first the number of itinerants, both scholars and others, was by no means equal to their work; the parishes in that mountainous country are large and wide, and there being but one itinerant to several of those parishes, the people must have been neglected, and their children too much without instruction; but this was owing to the necessity of the times.

When the commissioners had acted about two years a petition was presented to the parliament by the inhabitants of South Wales, signed by above a thousand hands, in favour of the old ejected clergy, setting forth the numbers that had been dispossessed, and the want of a competent number of preachers in their places, upon which account the country was reduced to a very miserable condition. They therefore pray the house to take some course for a future supply of godly and able preachers; and to call those persons to account who had received all the profits of church-livings into their hands†. The house received the petition, and referred it to the committee for plundered ministers, who were empowered to examine witnesses, and to authorize other commissioners in the country to examine witnesses upon oath, touching the matters contained in the petition. The committee ordered the commissioners to bring in their accounts in a month's time, which they did accordingly. And the petitioners were ordered to deliver in the particulars on which the desired witnesses might be examined within two days; but not being provided, they desired liberty to make good their allegations in the country; to which the commissioners willingly agreed. But this taking up some time, the long-parliament was dissolved, and the prosecution of this inquiry suspended for the present; but as soon as the protector was fixed in his government, he published an ordinance, August 20, 1654, to bring the propagators to an account; pursuant to which the sequestrators and treasurer for South Wales delivered in their accounts for the years 1650, 1651, 1652, which was all the time the ordinance continued in force; and the commissioners appointed by the protector having received and examined them, after a full inquiry, allowed and passed them, August, 10, 1655.

It is hard to read with temper the reproaches cast upon these

\* Calamy's Comp. p. 48.

† Walker, p. 168.

commissioners by our angry historians, who have charged them with all manner of corruption, as if they had got great estates out of the revenues of the church, though without producing a single example. Mr. Powel, who took more pains among them than any man of his time, declares, that he never received for all his preaching in Wales, by salary, above 6 or 700*l.*; that he never had any thing from the tithes. And whereas it was said, that he had enriched himself by purchasing some thousands a year of crown-lands, he protests, that he never purchased above 70*l.* a year, which he lost at the Restoration\*. And if Mr. Powel did not enrich himself, I apprehend none of his brethren could. Besides, if this had been true, the protector's commissioners would have discovered them; or, if they had escaped the protector's inquiry, their enemies would have exposed them at the Restoration, when king Charles appointed a commission to make the strictest inquiry into their management. "All persons who had acted as commissioners for propagating the gospel, were by his majesty's instructions to be summoned before his commissioners; and all that had acted under them as farmers, tenants, &c., all that had succeeded in the sequestered livings, or received any of the profits; all parishioners, who had kept any of the tithes in their hands; the heirs, executors, or administrators, of any of the aforesaid persons; and all credible persons, who could give evidence of any of these matters. They were likewise to inquire after books and writings; and to signify to all persons concerned, that if they would forthwith apply to his majesty's commissioners, they might compound for what they stood charged with, and so avoid the expense of a law-suit." But after all this mighty outcry and scrutiny, nothing of any consequence appeared, and therefore it was thought proper to drop the commission, and bury the whole affair in silence. Mr. Vavasor Powel, above mentioned, was cruelly handled by the Welsh clergy, but he did himself justice in a pamphlet, entitled, *Examen et Purgamen Vavasoris*, published 1653, wherein he vindicates his proceedings in the propagation†. And when he was in the Fleet after the Restoration, he published a brief narrative concerning the proceedings of the commissioners in Wales against the ejected clergy, occasioned by a report that he had been thrown into that prison for some of the revenue, which was never answered.

\* Mr. Powel vindicated his character in two publications; one entitled *Examen et Purgamen Vavasoris*, 1653, wherein he was cleared by the authentic certificates of persons of great credit, and many of them gentlemen of good landed property; the other called, "The Bird in the Cage chirping; or, a Brief Narrative of the former propagation and late restriction of the Gospel in Wales," 12mo. 1661. The author of his life, in 1671, says, "that he received nothing from the churches in Wales but neighbourly and brotherly kindness. The parliament ordered him 100*l.* per annum, out of a sinecure, whereof he received about 60*l.* for seven or eight years: many considerable gifts he refused; and never did he get any thing by the act for the propagation of the Gospel in Wales." *Life*, p. 112; *Calamy's Church and Dissenters Compared*, p. 47, 48, note.—Ed.

† Walker, p. 149.



By an ordinance of September 2, commissioners were appointed to inquire into the yearly value of all ecclesiastical livings and benefices without cure of souls; what person or persons received the profits, and who was the patron; and to certify the same into chancery; and if, upon a careful consideration of things, it shall be found convenient and advantageous to unite two parishes or more into one, and that the whole ecclesiastical revenues, tithes, and profits, belonging to the said parishes so united, should be applied for a provision for one godly and painful minister, to preach in the said united parishes, then the trustees or commissioners appointed by this act, shall represent the same to his highness and council, upon whose approbation they shall, by an instrument under the hands and seals of any five or more of them, declare, that they do thereby unite such parishes into one; which instrument being enrolled in chancery, the said parishes from thenceforth shall be adjudged and taken to be consolidated into one. If there happen to be more patrons than one in the parishes thus united, the patrons shall present by turns; but the union shall not take place till the avoidance of one of the livings by the death of the incumbent\*.

On the other hand, where parishes were too large, the trustees for the augmentation of poor livings were empowered to divide them into two, or more, upon their avoidance by death.

Farther, if, when two or more parishes were united into one, the income or salary did not amount to 100*l.* per annum, the trustees for receiving impropriations, tithes, first-fruits, and tenths, &c., were directed to make up the deficiency; and where there was a considerable surplus, they might take off the augmentations formerly granted: provided this ordinance be not construed to restrain the said trustees from granting augmentations to preachers in cities and market-towns, where there shall be cause, to a greater proportion, with the consent of the protector and his council. This was a noble and generous design; and if the protector had lived to have seen it executed, must have been of general service to the body of the clergy.

Though his highness himself was no great scholar, he was a patron of learning and learned men†. He settled 100*l.* a year on a divinity-professor in Oxford; and gave twenty-four rare manuscripts to the Bodleian library. He erected and endowed a college in Durham for the benefit of the northern counties, Mr. Frankland, M. A., being one of the first fellows. But these, and

\* Scobel, p. 353.

† To the proofs which Mr. Neal produces of the patronage Cromwell afforded to learning, may be added, that he permitted the paper of Dr. Walton's Polyglott to be imported free of duty; and that when, through his pre-engagement to another, Dr. Seth Ward, afterward bishop of Exeter, lost the principalship of Jesus-college in Oxford, in 1567: on being informed of his merit and learning he promised him an annuity equal to the value of the principalship. Dr. Harris's *Life of Oliver Cromwell*, p. 429—431; and Calamy's *Life of Mr. Howe*, p. 19.—ED.

some other designs that he had formed for the advancement of learning, died with him\*.

In order to secure the education of youth he took care to regulate both universities, by appointing new visitors, the former ceasing with the dissolution of the long parliament, viz.

*For the University of Oxford†.*

The vice-chancellor for the time being.

Dr. Harris, president of Trinity-college	Mr. James Baron, of Magdalen-college
Dr. Rogers, principal of New-Inn hall	Mr. Francis Howel, fellow of Exeter-college
Dr. T. Goodwin, president of Magdalen-college	William, viscount Say and Seal
Dr. John Owen, dean of Christ-church	Nathaniel Fiennes, esq.
Dr. Henry Wilkinson, Margaret-professor of divinity	Bulstrode Whitelocke, comm. of the great seal
Dr. Peter French, prebend of Christ-church	Samuel Dunch, esq.
Dr. John Conant, rector of Exeter-college	Sir John Dreyden
Dr. John Goddard, warden of Merton-college	Richard Ingoldsby,
Mr. Thankful Owen, president of St. John's	John Crew,
Mr. Stephens, principal of Hart-hall	George Fleetwood,
	John Bright,
	——— Jenkinson,
	——— Greenfield,†

*For the University of Cambridge.*

The vice-chancellor for the time being.

Dr. Tuckney, master of St. John's college	Mr. William Moses, fellow of Pembroke-hall
Dr. Arrowsmith, master of Trinity-college	Mr. Wood, fellow of Magdalen-college
Dr. Horton, president of Queen's-college	Henry Cromwell
Dr. Sam. Bolton, master of Christ's-college	Henry Lawrence, lord president of his highness's council
Dr. Law. Seaman, master of Peter-house	J. Lambert,
Dr. Lightfoot, master of Katherine-hall	J. Desborough,
Mr. John Sadler, master of Magdalen-college	Sir Gilbert Pickering
Dr. Whichcote	Col. Ed. Montague
Dr. Cudworth	Francis Rouse, esq.
Mr. Worthington, master of Jesus-college	Oliver St. John, lord-chief-justice of the common-pleas
Mr. Dillingham, master of Emm.-col.	J. Thurloe,
Mr. Simpson, master of Pembroke-hall	Robert Castle,
Mr. Templer, fellow of Trinity-college	Tho. Bendish,
Mr. Mowbrey, fellow of St. John's college	Rob. Viner,
	Griffith Lloyd,
	Sir William Strickland.

Any seven or more of the commissioners above named were authorised to visit all colleges and halls within their respective universities; to examine what statutes were fit to be abrogated, altered, or added, and to exhibit the same to his highness and the parliament. They are farther authorised to explain such statutes

\* Whitelocke, p. 588.

† Scobel, p. 366.

‡ Add, from Dr. Grey, sir Charles Wolseley, bart., and Humphrey Mackworth, esq.



as are ambiguous and obscure ; to determine appeals ; and are to be assisted upon all occasions by the mayor, sheriffs, and justices of peace. The said visitors, or any four of them, are authorized to visit Westminster-school, Winchester-school, Merchant-Tailors'-school, and Eton-college ; and to consider of such statutes of the said schools as are fit to be abrogated, and of others that may be proper to be added, for the well-government of the said schools and colleges.

The visitors discharged their duty with great fidelity ; and the heads of colleges had a watchful eye over their several houses ; drunkenness, swearing, gaming, and all kinds of immorality, were severely punished ; all students, graduates, and others, were obliged to be at home in proper hours ; the public-houses were searched ; and the practice of religion in the several colleges enforced with rigour. One of the professors writes, that there was more frequent practical preaching in the colleges than ever had been known. On the Lord's day, at different hours, there were three or four sermons in several churches ; and on the week-days, lectures on Tuesdays, Thursdays, Fridays, and Saturdays. The tutors were very diligent in discharge of their duty ; the public lectures were well attended, and the students under strict discipline ; learning revived, and the Muses returned to their seats, as appears by the number of learned men that flourished in the reign of king Charles II., who owed their education to these times.

The protector's zeal for the welfare of the Protestant churches abroad deserves a particular notice, and was highly valued by all the reformed in foreign countries \*. He took all imaginable care to appear at the head of that interest on all occasions, and to shew his power in protecting them. The prince of Tarente having written a respectful letter to the protector, his highness returned him the following answer : " that it was with extreme pleasure he had learned by letters his inviolable zeal and attachment to the reformed churches, for which his praise was the greater, inasmuch as he shewed that zeal at a time and in a place where such flattering hopes were given to persons of his rank, if they would forsake the orthodox faith ; and where those who continued steadfast are threatened with so many troubles. He rejoices that his own conduct in religion was so pleasing to him ; he calls God to witness, that he desired nothing so much as an opportunity to answer the favourable opinion the churches have of his zeal and piety, by endeavouring to propagate the true faith, and procure rest and peace for the church. He exhorts the prince to hold out firm to the end in the orthodox religion which he received from his fathers ; and adds, that nothing would bring him greater glory, than to protect it as much as lay in his power." What projects the protector formed for this purpose will be seen hereafter.

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\* History of the Stuarts, p. 423.

But the royal interest abroad was inclining towards Popery; the duke of York was already perverted to the Romish faith\*: no attempts were unessayed by the queen-mother, the queen of France, and others, to gain the young duke of Gloucester, who had been under the instruction of parliamentary tutors till the last year†: but this young prince was too well established in his religion to be perverted at present‡, upon which the queen forbade him her presence; and the marquis of Ormond conducted him to his brother at Cologne. The king was a man of no religion, and having little to do, devoted his leisure hours to the ladies, and other private pleasures. His majesty had some trial (says bishop Kennet§) of his conscience and courage in resisting the little arguments, or rather importunities, of Popery. The Papists put him in mind, that all his hopes from the Protestant party were at an end; that the bishops were dead, except a very few; and the church-lands sold; and that since the late defeat at Worcester the Presbyterian power was destroyed; all his hopes therefore must be from the Roman Catholics, from whose assistance only he could now hope for his restoration. But the prospect was so distant, that the king, by advice of lord Clarendon, was prevailed with not to declare himself openly at present.

On the last of November died the learned Mr. John Selden, the glory of the English nation||: he was born in Sussex December 6, 1584, and educated in Hart-hall, Oxford; after which he was transplanted to the Inner-Temple, where he became a prodigy in the most uncommon parts of science. He was a great philologist, antiquary, herald, linguist, statesman, and lawyer, but seldom appeared at the bar. He was chosen burgess for several parliaments, where he displayed his profound erudition in speeches and debates in favour of the liberties of his country; for which he was imprisoned, and severely fined with Mr. Pym in the parliament of 1618 and 1628. He was chosen again in the long-parliament, and appeared against the prerogative, as he had formerly done. He was one of the lay-members of the assembly of divines, and by his vast skill in the oriental learning, and Jewish antiquities, frequently silenced the most able divines. He wrote on various subjects, which gained him the title among foreigners of the dictator of learning in the English nation¶. Among other

\* Compl. Hist. p. 203.

† Kennet's Chron. p. 599.

‡ The manner of expression used by Mr. Neal may lead the reader, Dr. Grey observes, to think, that the duke of Gloucester was at last perverted: which he apprehends was not the case. For Echard affirms, that the duke was an invincible assertor of his father's faith: and Carte represents him as withstanding the arguments of the abbot of Pontoise, and rejecting the offers of a cardinal's hat, and even the promise of placing him on the throne. But, on the other hand, Oldmixon assures his reader, on the authority of a minister of state, a man of known wisdom and probity, who was a particular favourite with the prince of Orange, at the Hague, from whose mouth he had the information, that the duke was afterward reconciled to the church of Rome. Grey, vol. 3. p. 175. History of the Stuarts, p. 489.—Ed.

§ Compl. Hist. p. 213.

|| Athenæ Oxon. vol. 2. p. 107, 108.

¶ It does honour to Grotius, his antagonist, that he pronounced Mr. Selden to



remarkable pieces, we may reckon his History of Tithes, published 1618, in which he proves them not to be due to the Christian clergy by divine institution: for this he was summoned before the high-commission court, and obliged to make a public recantation\*. But after some time his reputation was so great, that it was thought worth while to gain him over to the court: and upon the new civilities he received at Lambeth, he was prevailed with to publish his *Mare Clausum* against Hugo Grotius, which was esteemed such an invaluable treasure, that it was ordered to be laid up in the court of records. The archbishop offered him preferments, but he would accept of nothing. Upon the first pressures against the bishops, he published his *Eutychius* in Greek and Latin, with notes, in which he proves that bishops and presbyters differ only in degree. He afterward answered his majesty's declaration about the commission of array, and was made master of the rolls by the long-parliament. He had a large and curious library of books; in the frontispiece of each he used to write this motto, *Περὶ πάντων ἐλευθερίαν*; Above all, liberty. At length being worn out with age and hard study, he died at his house in the Whitefriars, aged seventy years, and was magnificently interred in the Temple-church on the south side of the round walk, according to the Directory, in the presence of all the judges, some parliament-men, benchers, and great officers. His funeral sermon was preached by archbishop Usher, who acknowledged he was not worthy to carry his books after him. His works are lately collected, and printed together in six volumes folio.

Mr. Thomas Gataker was born in London 1574, and was educated in St. John's college, Cambridge, where he proceeded M.A., and was afterward removed to Sidney-college, where he became remarkable for his skill in the Hebrew and Greek languages †. After his ordination he was chosen minister of Lincoln's-Inn, and occupied that station ten years; but in the year 1611 he was pre-

be "the glory of the English nation." Like a man of genius, he was for striking out new paths of learning, and enlarging the territories of science. The greater part of his works are on uncommon subjects. But towards the close of life he saw the emptiness of all human learning; and owned, that out of the numberless volumes he had read and digested, nothing stuck so close to his heart, or gave him such solid satisfaction, as a single passage of Paul's Epistles: Tit. ii. 11—14. Granger's History of England, vol. 2. p. 228, 229, 8vo.—Ed.

\* It is judiciously remarked by Le Clerc, that it was great impolicy in the church and court party to offend and irritate such a man as Selden: a man of deep learning, not in Jewish antiquities only, but in those of his own country, the laws of which he understood to their first grounds. Such persons ought at all times to be courted and favoured, on account of the great use which may be made of them on all occasions; but especially in seasons of public discontents, when they can turn the balance on the side which they join. Whereas it generally happens, that they are ill-treated, and the court-favours are bestowed on those only who are fit for nothing but to feed on a great benefice or a good pension. It would have been more wise to have secured Selden, since he was by no means a fanatic, as many places in his Table-talk shew; and even was partial to the old ecclesiastical government, in opposition to those who often set it at naught. *Bibliothèque Ancienne et Moderne*, tom. 6. p. 253.—Ed.

† Clarke's General Martyrology, p. 248, &c. of the Lives.

sented to the rectory of Rotherhithe, where he continued till his death. In the year 1643 he was chosen a member of the assembly of divines, and was an ornament and reputation to it. When the earl of Manchester visited and reformed the university of Cambridge, he offered Mr. Gataker the mastership of Trinity-college, but he refused it on account of his health. Mr. Gataker was a very learned man, and a considerable critic and linguist, as appears by his writings, which were very numerous, considering his infirm state of health. He was a constant preacher, of a most holy and exemplary deportment, but withal of great modesty. It is hard, says Mr. Echard, to say, which was most remarkable, his exemplary piety and charity, his polite literature, or his humility and modesty in refusing preferments. He maintained a correspondence with Salmasius, Hornbeck, and other learned foreigners, and was in high esteem both at home and in the Low Countries, where he had travelled. He died of age, and a complication of infirmities, July 27, 1654, in the eightieth year of his age\*.

Mr. William Strong was educated in Katherine-hall, Cambridge, of which he was a fellow. He was afterward rector of More-Crichel in Dorsetshire, where he continued till he was forced to fly from the cavaliers†; he then came to London, and was chosen one of the assembly of divines, and minister of St. Dunstan's in the West. After some time he became preacher at Westminster-abbey, where he died suddenly in the vigour of life, and was buried in the Abbey-church July 4, 1654. His funeral sermon was preached by Mr. Ob. Sedgwick, who says, that he was so plain in heart, so deep in judgment, so painful in study, so exact in preaching, and, in a word, so fit for all the parts of the ministerial service, that he did not know his equal. But after the Restoration his bones were dug up, and removed to St. Margaret's churchyard, with those of other eminent Presbyterian divines. He published several sermons and theological treatises in his lifetime; and after his death there was a posthumous one upon the covenants, in the preface to which Mr. Theophilus Gale observes, that the author was a wonder of nature for natural parts, and a miracle of grace for his deep insight into the more profound mysteries of the gospel. His thoughts were sublime, but clear and penetrating, especially in interpreting difficult texts.

Mr. Andrew Pern was educated in Cambridge, and from thence removed to Welby in Northamptonshire, where he maintained the character of a zealous, laborious, and successful preacher, for twenty-seven years. In the year 1643, he was chosen a member of the assembly of divines at Westminster. When he was at

\* The most celebrated of his works is a valuable edition of Marcus Antoninus, with a Latin translation and commentary, and a preliminary discourse on the philosophy of the Stoics, which is much esteemed. His house was a private seminary for divers young gentlemen of this nation, and many foreigners resorted to him, and lodged at his house in order to receive from him advice in their studies. British Biography, vol. 4. p. 354, note.—Ed.

† Athenæ Oxon. p. 218.



London he was offered several considerable preferments, but refused them, resolving to return to his people at Welby, who honoured him as a father; for by his awakening sermons, and exemplary life and conversation, he accomplished a great reformation of manners in that town. He was full of spiritual warmth, says the preacher of his funeral sermon, filled with a holy indignation against sin, active in his work, and never more in his element than in the pulpit. As his life was holy, so his death was comfortable. He blessed God that he was not afraid to die; nay, he earnestly desired to be gone, often crying out, in his last sickness, "When will that hour come? One assault more, and this earthen vessel will be broken, and I shall be with God." He died the beginning of December, 1654, before he was arrived to the age of sixty.

Dr. Samuel Bolton was educated in Cambridge, and from thence removed to the living of St. Martin's, Ludgate. Upon his coming to the city he was chosen one of the additional members of the assembly of divines, being a person of great name and character for learning and practical preaching. He was a burning and shining light, says Mr. Clarke\*, an interpreter one of a thousand, an admirable preacher, and his life was an excellent commentary upon his sermons. Upon the death of Dr. Bainbrigge he was chosen master of Christ's college, Cambridge, which he governed with great wisdom and prudence till his death, which happened about the 10th of October, 1654. He was buried with great solemnity in his parish-church of Ludgate on the 16th of the same month, very much lamented by the London clergy of those times.

Mr. Jer. Whitaker was born at Wakefield in Yorkshire, 1599, and educated in Sidney-college, Cambridge, where he proceeded in arts. He taught the free-school at Okeham in Rutlandshire seven years, and then became minister of Stretton in the same county, where he continued thirteen years. In 1643, he was nominated one of the assembly of divines at Westminster, which brought him to London, where he was chosen to the rectory of St. Mary Magdalen, Bermondsey, in Southwark. He preached three or four sermons every week; two in Southwark, one at Westminster, and one at Christ-church, London. He never withdrew from any opportunity of preaching if he was in health; and though he preached often, his sermons were solid and judicious. He was a universal scholar, both in arts and languages; well acquainted with the fathers and school-men, an acute disputant, and inferior to none in his acquaintance with the Holy Scriptures†. He was of the Presbyterian persuasion, and had a chief hand in composing the Defence of the Gospel Ministry, published this year by the provincial synod of London. He refused the engagement, and lamented the wars between England, Scotland, and

\* Lives of Eminent Persons, p. 43.

† Clarke's General Martyrology, in the Lives, p. 264.

Holland. No man was more beloved by the Presbyterian ministers of London than Mr. Whitaker. When he was seized with the violent and acute pain of the stone about the beginning of November, many days of prayer and fasting were observed for his recovery, but the distemper was incurable. He bore his pains with uncommon patience, fearing nothing more than to dishonour God by unreasonable complaints. When his distemper was most violent he would desire his friends to withdraw, that they might not be affected with his roarings. At length nature being quite spent, he cheerfully resigned his soul into the hands of his Redeemer, about the fifty-fifth year of his age. His funeral sermon was preached by Mr. Calamy, who gave him a large and deserved encomium.

Mr. Richard Vines, of whom mention has been made already, was born at Blazon in Leicestershire, and educated in Magdalen-college, Cambridge, where he commenced M.A. He was first schoolmaster at Hinckley, then minister of Weddington in Warwickshire. At the beginning of the civil war he was driven from his parish, and forced to take shelter in Coventry. When the assembly of divines was convened he was chosen one of their number; and, as Fuller says\*, was the champion of their party. While he was at London he became minister of St. Clement's Danes; afterward he removed to Watton in Hertfordshire, and was chosen master of Pembroke-hall in Cambridge, but resigned that, and his living of St. Lawrence-Jewry, on account of the engagement. He was a son of thunder, and therefore compared to Luther; but moderate and charitable to those who differed from him in judgment. The parliament employed him in all their treaties with the king; and his majesty, though of a different judgment, valued him for his ingenuity, seldom speaking to him without touching his hat, which Mr. Vines returned with most respectful language and gestures. He was an admirable scholar; holy and pious in his conversation, and indefatigable in his labours, which wasted his strength, and brought him into a consumption, when he had lived but about fifty-six years. He was buried in his own parish-church, February 7, 1655, his funeral sermon being preached by Dr. Jacomb, who gave him his just commendation. He was a perfect master of the Greek tongue, a good philologist, and an admirable disputant. He was a thorough Calvinist, and a bold honest man without pride or flattery†.

\* Fuller's Worthies, p. 134.

† Dr. Grey insinuates a reflection on Mr. Vines's simplicity and integrity, by a story of his praying in the morning of an Easter Sunday, before the marquis of Hertford, for the king's restoration to his throne and legal rights; but, in the afternoon, when the marquis was absent, and lord Fairfax came to church, praying, in *stylo parlamentario*, that God would turn the heart of the king, and give him grace to repent of his grievous sins, especially all the blood shed in those civil, uncivil wars. On which it was observed, that Mr. Vines was much more altered between the forenoon and afternoon, than the difference between an English marquis and an Irish baron. The reader, perhaps, will think, that each prayer might very consistently be formed by the same person. Not a week before Mr. Vines's death, as he



Mr. Newcomen calls him "disputator acutissimus, concionator felicissimus, theologus eximius." Many funeral poems and elegies were published on his death\*

The protector having dissolved his second parliament without confirming their acts, was obliged still to rely on the military arm; this, together with the insurrections in several parts of the country, induced him, for his greater security, to canton the nation into eleven districts, and place over them major-generals, whose commission it was to inspect the behaviour of the inferior commissioners within their districts; to commit to prison all suspected persons; to take care of collecting the public taxes; and to sequester such as did not pay their decimation. They were to inquire after all private assemblies of suspected persons, and after such as bought up arms; after vagabonds and idle persons; after such as lived at a higher rate than they could afford; after such as frequented taverns and gaming-houses, and after scandalous and unlearned ministers and schoolmasters; and there was no appeal from them but to the protector and his council. They were ordered to list a body of reserves both horse and foot at half pay, who were to be called together upon any sudden emergency, and to attend so many days at their own expense, but if they were detained longer to have full pay; by which means the protector had a second army in view, if any disaster should befall the first; but these officers became so severe and arbitrary, that his highness found it necessary after some time to reduce their power, and when affairs were a little more settled to dissolve them.

Having provided for the security of his government at home, the protector concluded an alliance with France, October 23, in which it is remarkable that Lewis XIV. is not allowed to style himself King of France, but king of the French, his highness claiming the protectorship of that kingdom among his other titles; and, which is more surprising, the name of Oliver stands in the treaty before that of the French king. At the same time he sent admiral Blake with a fleet into the Mediterranean, who spread the terror of the English name all over Italy, even to Rome itself; processions being made, and the host exposed for forty hours, to avert the judgments of Heaven, and preserve the patrimony of the church. But Blake's commission was only to demand 60,000*l.* of the duke of Tuscany, for damages sustained by the English merchants while he harboured prince Rupert, which he paid immediately. The admiral released all the English slaves on the coast of Barbary to the number of four hundred, and obtained satisfaction for the ships taken by the pirates of Algiers, Tunis, &c. Upon the whole he brought home sixteen ships laden with booty, which sailed up the river Thames to the port of London, as a grateful spectacle of triumph to the people.

was preaching at St. Gregory's, a rude fellow cried out to him, "Lift up your voice, for I cannot hear you;" to whom Mr. Vines returned, "Lift up your ears, for I can speak no louder." Fuller's Worthies, p. 446, 8vo. edition, 1684.—ED.

\* Clarke's Lives of Eminent Persons, p. 48.

While Blake was in the Mediterranean, admiral Pen and Venables, with thirty men-of-war and some land-forces, sailed to the West-Indies, with a design to surprise the town of Hispaniola; but miscarrying in the attempt, they re-embarked and took possession of the island of Jamaica, which is in possession of the crown of Great Britain to this day.

The protector did not commission Blake to assault the Spanish coasts in the Mediterranean, because there was no open rupture between the two nations in Europe; but the West-Indies not being included in the treaty, he thought himself at liberty in those parts: which occasioned a declaration of war, on the part of Spain, with all the English dominions; upon which Blake was ordered to cruise upon the Spanish coasts, and to wait for the return of the Plate-fleet, of which he gave a very good account the next summer.

To support these additional expenses, the protector, by advice of his council, raised some extraordinary taxes before the parliament met, which he knew to be illegal, and did not pretend to justify, upon any other foot than "the absolute necessity of the public safety; the distracted condition of the nation; that it was impracticable in the present juncture to call a parliament, or to proceed in the ordinary course of law; and that in extraordinary cases, wherein all was at stake, some extraordinary methods were allowable." How far this reasoning will excuse the protector, or vindicate his conduct, must be left with the reader. But it is agreed on all hands, that in things that did not affect the very being of his government, he never interposed, but let the laws have their free course. He had a zeal for trade and commerce beyond all his predecessors, and appointed a standing committee of merchants for advancing it, which met for the first time in the painted chamber November 27, 1655, and continued to his death.

The provincial assembly of London, finding their attempts to establish their discipline ineffectual, employed themselves this year in promoting the religious education of youth; for which purpose they published an exhortation to catechising; with the following directions for the more orderly carrying it on.

1. "That the ministers on some Lord's day prove in their sermons the necessity and usefulness of such a work, and exhort all parents, and masters of families, to prepare their children and servants for it, by catechising them at home, that they may more readily make their answers in public.

2. "That the catechism to be used be the lesser catechism of the assembly of divines. This catechism excelling all others in this respect, that every answer is a perfect proposition without the question.

3. "That the persons to be catechised be children and servants, that have not been admitted to the Lord's Supper by the eldership.



4. "That the time of catechising be on the Lord's day in the afternoon, before the sermon, to the end that the whole congregation may receive benefit thereby.

5. "That the catechism may be explained briefly, at the first going over, that the people may in a short time have a notion of the whole body of divinity.

6. "That the parish be desired at the common charge, to provide catechisms for the poorer sort, who cannot well provide for themselves, and that the distribution of them be referred to the respective ministers.

7. "It is desired, that an account in writing, what progress is made in the premises, may be returned from the classes to the provincial assembly within forty days after the receipt hereof.

"Signed in the name and by the appointment of the assembly,

"Edmund Calamy, moderator.

"William Harrison, } scribes."

"William Blackmore, }

These instructions were sent to the several classes of London; and after their example, the associated ministers in the several counties of England published the like exhortations to their brethren.

The occasion of this proceeding was the publishing two catechisms of Mr. John Biddle, a Socinian, one called a Scripture Catechism; and the other, a Brief Scripture Catechism, for the Use of Children. Complaints of which being made to the last parliament, they were ordered to be burnt by the hands of the common hangman, and the author to be imprisoned in the Gatehouse. Mr. Biddle had been in custody for his opinions before the late king's death. While he was there, he had published twelve questions or arguments against the Deity of the Holy Spirit, in quarto, 1647, which were answered by Mr. Pool, and the book ordered to be burnt. Next year, being still in prison, he published seven articles against the Deity of Christ, with the testimonies of several of the fathers on this head; upon which some zealous in the assembly moved, that he might be put to death as a heretic; but he went on, and being set at liberty, in the year 1651, he composed and published the catechisms above mentioned, in which he maintains, "(1.) That God is confined to a certain place. (2.) That he has a bodily shape. (3.) That he has passions. (4.) That he is neither omnipotent nor unchangeable. (5.) That we are not to believe three persons in the Godhead. (6.) That Jesus Christ has not the nature of God, but only a divine lordship. (7.) That he was not a priest while upon earth, nor did reconcile men to God. And, (8.) That there is no Deity in the Holy Ghost." These propositions \* were con-

\* Mr. Biddle was a pious, holy, and humble man; a conscientious sufferer for what appeared to him divine and important truth. The propositions objected to

demned by the parliament, and the author committed to the Gatehouse. But as soon as the protector had dissolved his parliament he gave him his liberty.

After this, being of a restless spirit \*, he challenged Mr. Griffin, a Baptist preacher, to dispute with him in St. Paul's cathedral, on this question, "Whether Jesus Christ be the Most High, or Almighty God?" This occasioning new disturbances, the council committed him to Newgate; but the protector thought it best to send him out of the way, and accordingly transported him to Scilly, and allowed him one hundred crowns a year for his maintenance. Here he remained till the year 1658, when the noise being over he was set at liberty; his catechisms having been answered by Dr. Owen, in a learned and elaborate treatise, entitled, *Vindiciæ Evangelicæ*, &c.

After the protector's death, Biddle set up a private conventicle in London, which continued till the Restoration, when the church being restored to its coercive power, he was apprehended while preaching, and committed to prison, where he died in September 1662, and was buried in the burying-ground in Old Bedlam. He had such a prodigious memory (says Wood), that he could repeat all St. Paul's Epistles in Greek, and was reckoned by those of his persuasion a sober man, and so devout, that he seldom prayed without lying prostrate on the ground.

Though it was well known by this, as well as other examples, that the protector was averse to all acts of severity on the account of religion, yet such was the turbulent behaviour of the royalists, who threatened an assassination, published the most daring libels against the government, and were actually in arms, that he thought it necessary to crush them, and therefore an order was published November 24, "That no persons after January 1, 1655—6, shall keep in their houses or families, as chaplains or schoolmasters for

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him above do not appear in his catechisms under the form of principles, which he asserts, but of questions, which he proposes, and the answers to which are numerous texts of Scripture, that appear to speak to the point. E.g., The first proposition is this question: "Is not God, according to the current of the Scripture, in a certain place, namely, in heaven?" The answer consists of twenty-nine passages of Scripture, which represent God, as "looking from heaven, as our Father who art in heaven," and the like. For a full account of these catechisms I would refer the reader to my Review of the Life, Character, and Writings, of Mr. John Biddle, section 8.—Ed.

\* It is to be regretted, that Mr. Neal should speak in this manner of one, who thought it his duty, by the fair and peaceable means of preaching and writing, to advance and disseminate sentiments which he judged to be the truths of Scripture, and only called men to inquire and examine. Such language fixes a stigma upon the honest advocate for truth, and is the illiberal cry of those who cannot bear to have established opinions attacked. The first teachers of Christianity were reproached as men of restless spirits; as men who "would turn the world upside down," Acts xvii. 6.—In the present case, the term was not deserved, Mr. Neal has misstated the transaction. Mr. Biddle was not the first in the business. The challenge came from Mr. Griffin, and Mr. Biddle waived accepting it, and declined the disputation for some time. And when he entered the lists, there were in the auditory many of his bitter and fiery adversaries. See Review of his Life, p. 117, 118; or a modern Collection of Unitarian Tracts, in 12mo. vol. 4. p. 91.—Ed.



the education of their children, any sequestered or ejected minister, fellow of a college, or schoolmaster, nor permit their children to be taught by such. That no such persons shall keep school either publicly or privately, nor preach in any public place, or private meeting, of any others than those of his own family; nor shall administer baptism, or the Lord's Supper, or marry any persons, or use the Book of Common Prayer, or the forms of prayer therein contained, on pain of being prosecuted, according to the orders lately published by his highness and council, for securing the peace of the commonwealth. Nevertheless his highness declares, that towards such of the said persons as have, since their ejection or sequestration, given, or hereafter shall give, a real testimony of their godliness, and good affection to the present government, so much tenderness shall be used as may consist with the safety and good of the nation \*."

This was a severe and terrible order † upon the Episcopalians, and absolutely unjustifiable in itself; but the title of the act, which is "An Ordinance for securing the Peace of the Commonwealth," as well as the last clause, shews it was made for the safety of the government, against a number of men who were undermining it, and was published chiefly *in terrorem*, for no person was prosecuted upon it; and the parliament which met next year, not confirming it, it became absolutely void.

Dr. Gauden presented a petitionary remonstrance to the protector against this order; and archbishop Usher was desired to use his interest with his highness in behalf of the Episcopal clergy; upon which, says the writer of the archbishop's life ‡, the protector promised either to recall his declaration, or prevent its being put in execution, provided the clergy were inoffensive in their language and sermons, and stood clear in meddling with matters of state. His highness accordingly laid the matter before his council, who were of opinion §, that it was not safe for him to recall his decla-

\* Hughes's Exact Abridgment of Public Acts and Ordinances, 4to. p. 597.

† "It would be useless (says Dr. Harris) to spend words in exposing the cruelty of this declaration. Persecution is written on the face of it, nor is it capable of a vindication." Life of Oliver Cromwell, p. 438.—ED.

‡ Parr's Life of Usher, p. 75.

§ On this ground, when the lord-primate went to him a second time to get the promise which the protector on the first application had made of taking off these restraints ratified and put into writing, he retracted his engagement, which both grieved and irritated the archbishop. He had, indeed, good reason to be displeased. By this it appears, that Mr. Neal's statement above is not accurate. The ordinance was executed: and though some worthy Episcopalians were permitted to officiate, it cannot be doubted but many innocent and worthy men must have received very hard measure. The ordinance was marked with horrid severity: and it is "a barbarous thing to prohibit men the use of those forms of address to the Deity, which they imagine are most honourable and acceptable to him." Besides, men ought not to suffer in their most valuable and inalienable rights on suspicion; and instead of being amenable for overt acts, be punished, as it were, for crimes they have never committed. This is injustice and cruelty: has its origin in fear and the consciousness of oppressive government: and tends to make the government, which it would protect from danger, odious and hateful. Grey's Remarks, vol. 3. p. 177, 178. Harris's Life of Oliver Cromwell, p. 438, 439.—ED.

ration, and give open liberty to men who were declared enemies to his government, but that he should suspend the execution of it as far as their behaviour should deserve; so that in the event here was no great cause of complaint; for notwithstanding this ordinance, the sober Episcopal clergy preached publicly in the churches, at London and in the country, as Dr. Hall, afterward bishop of Chester, Dr. Ball, Dr. Wild, Dr. Hardy, Dr. Griffith, Dr. Pearson bishop of Chester, and others. Remarkable are the words of bishop Kennet to this purpose; "It is certain (says his lordship) that the protector was for liberty, and the utmost latitude to all parties, so far as consisted with the peace and safety of his person and government, and therefore he was never jealous of any cause or sect on the account of heresy and falsehood, but on his wiser accounts of political peace and quiet; and even the prejudice he had against the episcopal party was more for their being royalists, than for being of the good old church. Dr. Gunning, afterward bishop of Ely, kept a conventicle in London, in as open a manner as dissenters did after the toleration; and so did several other episcopal divines \*."

For the same reasons his highness girt the laws close upon the Papists, not upon account of their religion, but because they were enemies to his government; for in the month of May a proclamation was published for the better executing the laws against Jesuits and priests, and for the conviction of Popish recusants; the reasons of which the protector gives in his declaration of October 31, published with the advice of his council, in these words; "Because it was not only commonly observed, but there remains with us somewhat of proof, that Jesuits have been found among discontented parties of this nation, who are observed to quarrel and fall out with every form of administration in church and state †." The protector gave notice of the like kind to the republicans, fifth monarchy men, levellers, and to the Presbyterians, that they should stand upon the same foot with royalists, in case of any future delinquencies.

Such was the protector's latitude, that he was for indulging the Jews, who petitioned for liberty of their religion, and for carrying on a trade in London. Manasseh Ben Israel, one of their chief rabbies, with some others, came from Amsterdam to Whitehall for this purpose, whom the protector treated with respect, and summoned an assembly of divines, lawyers, and merchants, to consult upon the affair ‡. The divines were to consider it as a case of conscience; the lawyers to report how far it was consistent with the laws of England; and the merchants, whether it was

\* Conf. Plea, part 4. p. 510. Compl. Hist. p. 223.

† Compl. Hist. p. 255. in marg.

‡ It is a proof of the protector's good dispositions towards this business, and of his respect for the rabbi who came to negotiate it, that, by an order of the 24th of March 1655, he directed 200*l.* to be paid to him out of the treasury. Whitelocke's Memorials, p. 673.—Ed.



for the advantage of trade and commerce. Bishop Burnet apprehends, that the protector designed the Jews for spies in the several nations of Europe; however, he was of opinion, that their admission under certain limitation might be for the advantage of commerce; and told the divines, that since there was a promise in Holy Scripture of the conversion of the Jews, he did not know but the preaching of the Christian religion, as it was then in England, without idolatry or superstition, might conduce to it. But the assembly not agreeing in their opinions, the affair was dropped, and the petitioners returned to Holland, where Manasseh Ben Israel wrote a handsome letter, now before me, which he calls, "An Answer to certain Questions propounded by a noble and learned Gentleman, touching the Reproaches cast upon the Nation of the Jews, wherein all Objections are candidly and fully stated." The famous Mr. Prynne, and Mr. Dury, a Presbyterian minister, wrote fiercely against the admission of the Jews; but other divines, whom the protector consulted, were for admitting them with some limitations. I shall report their resolution on this point in their own language.

Question, Whether the Jews, at their desire, may be admitted into this nation to traffic and dwell among us, as Providence shall give occasion?

The answer of those who were against it was, that they could not think it lawful for the following reasons:

1. "Because the motives on which Manasseh Ben Israel, in his book lately printed, desires their admission into this commonwealth, are such as we conceive to be very sinful.

2. "The danger of seducing the people of this nation, by their admission, is very great.

3. "Their having synagogues, or any public meetings for the exercise of their religion, is not only evil in itself, but likewise very scandalous to other Christian churches.

4. "Their customs and practices concerning marriage and divorce are unlawful, and will be of very evil example among us.

5. "The principles of not making conscience of oaths made, and injuries done to Christians in life, chastity, goods, or good name, have been very notoriously charged upon them by valuable testimony.

6. "Great prejudice is like to arise to the natives of this commonwealth in matters of trade, which, besides other dangers here mentioned, we find very commonly suggested by the inhabitants of the city of London."

Other divines were of opinion, that the civil magistrate might tolerate them under the following limitations:

1. "That they be not admitted to have any public judicatories civil or ecclesiastical.

2. "That they be not permitted to speak or do any thing to

the defamation or dishonour of the names of our Lord Jesus Christ, or of the Christian religion.

3. "That they be not permitted to do any work, or any thing, to the open profanation of the Lord's day, or Christian sabbath.

4. "That they be not permitted to have any Christians dwell with them as their servants.

5. "That they have no public office or trust in this commonwealth.

6. "That they be not allowed to print any thing in our language against the Christian religion.

7. "That so far as may be, they be not suffered to discourage any of their own from using any proper means, or applying themselves to any who may convince them of their error, and turn them to Christianity. And that some severe penalty be imposed upon them who shall apostatize from Christianity to Judaism."

Mr. Archdeacon Echard says\*, "The Jews offered the protector 200,000*l.* provided they might have St. Paul's cathedral for a settlement." And he adds the following malicious reflection, that "the money made his highness look upon it as the cause of God, but that both the clergy and laity so declaimed against them, that the religious juggle would not take place." This the archdeacon himself could not believe, as being quite out of character, for he knew that the protector did not enrich his family, nor value money, but for the public service. He concludes, that "the Jews could never be permitted to live long in a well-settled monarchy." What then does he call the monarchy of England, where the Jews have been indulged the free exercise of their religion, without doing any damage to the religion or commerce of the nation, for above sixty years?

The protector's zeal for the reformed religion made him the refuge of persecuted Protestants in all parts of the world. The duke of Savoy, at the instance of his duchess, sister to the queen of England, determined to oblige his reformed subjects in the valleys of Piedmont to embrace the Roman Catholic religion, or depart the country. For this purpose he quartered an army upon them, which ate up their substance. The Protestants making some little resistance to the rudeness of the soldiers, the duke gave orders, that all the Protestant families in the valley of Lucerne should go into banishment, which some obeyed, whilst the rest sent deputies to the court of Turin, to implore mercy; but the pope and the princes of Italy advised the duke to improve the present opportunity for extirpating the reformed, and making all his subjects of one religion. The duke accordingly sent express orders to his general to drive them all out of the country,



with their wives and children, and to put to death such as should remain. This was executed with great severity, April 20, 1655. Those who escaped the sword fled into the mountains, from whence, being ready to perish with hunger and cold, they sent their agents to the lord-protector of England, and other Protestant powers, for relief. It was the beginning of May when his highness was first made acquainted with their distress, whereupon he appointed a general fast, and charitable contributions throughout all England for their present assistance; and such was the compassion of the people, that the collection amounted to 37,097*l.* 7*s.* 3*d.* About 30,000*l.* was remitted to their deputies at several payments, in this and the next year; but the confusions which followed upon the protector's death prevented the clearing the whole account till the convention-parliament at the Restoration, who ordered the remaining 7000*l.* to be paid. The protector applied to the Protestant kings of Sweden and Denmark; to the states of Holland, the cantons of Switzerland, and the reformed churches of Germany and France; and by his powerful instances procured large contributions from those parts. He wrote to the king of France, and to cardinal Mazarine; and being glad of an opportunity to strike terror into the Roman Catholic powers, he sent Samuel Moreland, esq. with a letter to the duke of Savoy, in which, having represented the cruelty and injustice of his behaviour towards the Protestants in the valleys, he tells him, "that he was pierced with grief at the news of the sufferings of the Vaudois, being united to them not only by the common ties of humanity, but by the profession of the same faith, which obliged him to regard them as his brethren; and he should think himself wanting in his duty to God, to charity, and to his religion, if he should be satisfied with pitying them only (whose miserable condition was enough to raise compassion in the most barbarous minds;) unless he also exerted himself to the utmost of his ability to deliver them out of it." This awakened the Popish powers, insomuch that Mazarine wrote in the most pressing language to the court of Turin, to give the protector immediate satisfaction; with which the duchess reproached him, because he had made no terms for the English Papists\*; but his eminence replied, "We must leave to God the care of defending the Catholics, whose cause is most just; but that of the heretics needs for its support the clemency of princes." Upon this the persecution immediately ceased: the duke recalled his army out of the valleys, and restored their goods; the poor people returned to their houses, and recovered all their ancient rights and privileges. But to strike some farther terror into the pope, and the little princes of Italy, the protector gave out, that forasmuch as he was satisfied they had been the promoters of this persecution, he would keep it in mind, and lay hold of the first opportunity to send his fleet into the Mediterranean to visit Civita

\* Burnet, vol. 1., p. 108. Edin. edit.

Vecchia, and other parts of the ecclesiastical territories; and that the sound of his cannon should be heard in Rome itself. He declared publicly that he would not suffer the Protestant faith to be insulted in any part of the world; and therefore procured liberty to the reformed in Bohemia and France; nor was there any potentate in Europe so hardy as to risk his displeasure by denying his requests\*.

The charitable society for the relief of the widows and children of clergymen, since known by the name of the Corporation for the Sons of the Clergy, had its beginning this year; the first sermon being preached by the reverend Mr. George Hall, son of the famous Joseph Hall bishop of Exeter, then minister of Aldersgate, afterward archdeacon of Canterbury, and bishop of Chester. The sermon was entitled "God's appearing for the Tribe of Levi, improved in a sermon preached at St. Paul's November 8, 1655, to the Sons of Ministers then solemnly assembled," from Numb. xvii. 8, "The rod of Aaron budded, and bloomed blossoms, and yielded almonds." The preacher's design was to enforce the necessity and usefulness of a settled ministry; and though there were some passages that discovered him to be a prelatist, the main part of the sermon breathes moderation; "Let those ill-invented terms (says he) whereby we have been distinguished from each other, be swallowed up in that name which will lead us hand in hand to heaven, the name of Christians. If my stomach, or any of yours, rise against the name of brotherly communion, which may consist with our several principles retained, not differing in substantial, God take down that stomach, and make us see how much we are concerned to keep the unity of the Spirit in the bond of peace.—Why should some, in the height of their zeal for a liturgy, suppose there can be no service of God but where that is used? Why should others, again, think their piety concerned and trespassed upon, if I prefer and think fit to use a set form? There must be abatements and allowances of each other; a coming down from our punctilios, or we shall never give up a good account to God." From this time sermons have been preached annually, and large contributions made for the service of this charity. In the reign of king Charles II. they became a body corporate; and their present grandeur is sufficiently known to the whole nation.

On the 21st of March this year, died the most reverend and learned archbishop Usher, born in Dublin 1580, and educated in Trinity-college†. He proceeded M. A. in the year 1600, and

\* Mr. Neal's statement of Cromwell's interference in behalf of the Waldenses is, in general, correct; but when he says, "the poor people returned to their houses and recovered all their ancient rights and privileges"—his representation is not borne out by facts. If the reader wishes a more detailed and correct account of this tragical affair, he should consult *Jones's History of the Christian Church*, vol. 2. c. 6. sect. 6. p. 358—398.—W. J.

† It is a curious and singular circumstance, that archbishop Usher received his first elements of learning from two aunts, who were both born blind, yet found out



next year was ordained deacon and priest by his uncle Henry Usher, then archbishop of Armagh. In the year 1620 he was made bishop of Meath, and four years after archbishop of Armagh; in which station he remained till the dissolution of the hierarchy during the civil wars. In his younger years he was a Calvinist, but in his advanced age he embraced the middle way between Calvin and Arminius. He was one of the most moderate prelates of his time, and allowed of the ordinations of foreign Protestants; which none but he and bishop Davenant, and one or two more among the bishops of those times, would admit. The archbishop having lost all his revenues by the Irish rebellion, the king conferred upon him the bishoprick of Carlisle *in commendam*. In 1643 he was nominated one of the assembly of divines at Westminster, but did not appear among them. As long as the king was at Oxford he continued with him, but when the war was ended, he returned to London and lived privately, without any molestation. He assisted at the treaty of the Isle of Wight, but could do no service, the contending parties being then at too great a distance to be reconciled. A little before the king's death, the archbishop was chosen preacher to the honourable society of Lincoln's-inn, preaching constantly all term-time, till his eyes failing, he quitted that post, about a year and a half before his death, and retired with the countess of Peterborough to her house at Ryegate. The protector had a high esteem for this excellent prelate, and consulted him about proper measures for advancing the Protestant interest at home and abroad: he allowed him a pension, and promised him a lease of part of the lands of his archbishopric in Ireland for twenty-one years; but his death prevented the accomplishment of his design. About the middle of February the archbishop went down to Ryegate, and on the 20th of March was seized with a pleurisy, of which he died the next day, in the seventy-sixth year of his age, having been fifty-five years a preacher, four years bishop of Meath, and thirty-one years archbishop of Armagh. The archbishop was one of the most learned men of his age; he had a penetrating judgment, a tenacious memory; above all, he was a most pious, humble, exemplary Christian\*. His body was of the smaller size, his complexion sanguine, but his presence always commanded reverence. The protector did him the honour of a public funeral,

a method of teaching him to read English. These ladies had vast memories, and could repeat most part of the Scriptures by heart distinctly and without mistake. When it was debated, whether Dr. Usher should be nominated one of the assembly at Westminster, Mr. Selden is reported to have said, "that they had as good inquire, whether they had best admit Inigo Jones, the king's architect, to the company of mousetrap-makers." *British Biography*, vol. 4. p. 336. 350.—Ed.

\* "With his great and vast learning (it is said), no man had a better soul, and a more apostolical mind. Passion, pride, self-will, or the love of the world, seemed not to be so much as in his nature. He had all the innocence of the dove in him. But no man is entirely perfect. He was not made for the governing part of his function. His soul was too gentle to manage the rough work of reforming abuses: therefore he left things as he found them. He saw the necessity of cutting off

and buried him at his own expense\*, in king Henry VII.'s chapel†.

Stephen Marshall, B. D., was born at Godmanchester in Huntingdonshire, and was educated in Cambridge, and afterwards beneficed at Finchamfield in Essex, where he acquired such reputation by his preaching, that he was often called to preach before the long-parliament, who consulted him in all affairs relating to religion. He was one of the assembly of divines, and employed in most, if not all, the treaties between the king and parliament, Mr. Echard, according to his usual candour, calls him "a famous incendiary, and assistant to the parliamentarians, their trumpet in their fasts, their confessor in their sickness, their counsellor in their assemblies, their chaplain in their treaties, and their champion in their disputations‡;" and then adds, "This great Shimei, being taken with a desperate sickness, departed the world mad and raving." An unjust aspersion! for he was a person of sober and moderate principles, inasmuch that Mr. Baxter used to say, that if all the bishops had been of the spirit and temper of archbishop Usher, the Presbyterians of the temper of Mr. Marshall, and the Independents like Mr. Jer. Burroughs, the divisions of the church would have been easily compromised. When he was taken ill, and obliged to retire into the country for the air, the Oxford Mercury said he was distracted, and in his rage constantly cried out, that he was damned for adhering to the parliament in their war against their king. But he lived to con-

many abuses, and hoped for a time of reformation, yet he did not exert himself to correct or remove those corruptions which he apprehended would bring a curse and ruin upon the church. It seems that this sat heavy upon his mind in his last illness; for he prayed often and with great humility, that God would forgive his sins of omission, and his failings in his duty." *Life of Bishop Bedel*, p. 86, 87.—Ed.

\* Here Mr. Neal was, it seems, in a mistake. The protector, though he directed that this prelate should be buried with great pomp at Westminster-abbey, bore but half the expense of the funeral; the other half fell very heavily upon his relations. His *Annals of the Old and New Testament* is esteemed the most valuable of his numerous works; and the first draught of this work was drawn up by him, when he was only fifteen years of age. The western world owes its first acquaintance with the Samaritan Bible to this prelate. Four copies were procured for him by a factor, and sent to him, from Syria, in 1625. He gave one copy to the library at Oxford: a second he lodged in sir Robert Cotton's library: he sent a third to Leyden, and reserved the fourth to himself. The Old Testament in Syriac was obtained for him not long after. *Clarke's Martyrology*, in the *Lives*, p. 280, and 292. *Granger's History of England*, vol. 3. p. 27, 8vo.

Cromwell prevented the sale of archbishop Usher's valuable library of prints and manuscripts to foreigners; and caused it to be purchased and sent over to Dublin, with an intention to bestow it on a new college, or hall, which he proposed to build and endow there. The lease, which, as Mr. Neal says, Cromwell promised to the archbishop, was never executed: and it admits a doubt, whether the pension was ever enjoyed. Dr. Grey, on the authority of Dr. Parr, the primate's biographer.—Ed.

† *Clarke's General Martyrology*, p. 277, &c. of the *Lives*.

‡ The words of Mr. Echard are almost verbatim borrowed from Fuller. Dr. Grey, to confute the character given of Mr. Marshall, as an admired preacher, quotes some passages from his sermons; which certainly are not in the taste of modern eloquence; but they had a point in them, and abounded in antitheses and comparisons, which, it is easy to conceive, might gain admiration. Besides, compositions should be, in part, at least, judged of by the spirit and taste of the age to which they were adapted.—Ed.



fute the calumny, and published a treatise to prove the lawfulness of defensive arms in cases of necessity. He was an admired preacher, and far from running into the extremes of the times. In the decline of his life he retired from the city, and spent the two last years of his life in Ipswich. The reverend Mr. G. Firmin, in a preface to one of Mr. Marshall's posthumous sermons, writes, that he had left few labourers like himself behind him; that he was a Christian by practice as well as profession; that he lived by faith, and died by faith, and was an example to the believers in word, in conversation, in charity, in faith, and purity. That when he, and others were talking with Mr. Marshall about his death, he replied, "I cannot say, as he, I have not so lived that I should now be afraid to die; but this I can say, I have so learned Christ, that I am not afraid to die." He enjoyed the full use of his understanding to the last; but lost the use of his hands and appetite, insomuch that he could eat nothing for some months before he died. Mr. Fuller says, that he performed his exercise for bachelor of divinity with general applause; that he was a good preacher, but so supple, that he brake not a joint in all the alteration of the times; and although some suspected him of deserting his Presbyterian principles, yet upon his death-bed he gave them full satisfaction that he had not\*. His remains were solemnly interred in Westminster-abbey, but were dug up again at the Restoration.

The protector having as yet no better than a military title to his high dignity, resolved to obtain a more legal one as soon as the times would admit. He had now cut his way through a great many difficulties, and the success of his arms this summer having raised his reputation to an uncommon pitch of greatness, he resolved to summon a new parliament to meet at Westminster, September 17, 1656, to confirm his title to the protectorship; and the republicans being his most dangerous enemies, the protector sent for sir H. Vane and major-general Ludlow, to give security not to act against the present government†. He asked Ludlow, what made him uneasy? or what he would have? Ludlow answered, He would have the nation governed by its own consent. I am, said the protector, as much for a government by consent as any man; but where shall we find that consent: among the Prelatical, Presbyterian, Independent, Anabaptist, or Levelling parties? The other replied, Among those of all sorts who have acted with fidelity and affection to the public. The protector, apprehending that he was for throwing all things back into confusion, told him, that all men now enjoyed as much liberty and protection as they could desire, and that he was resolved to keep the nation from being imbrued again in blood. "I desire not (says he) to put any more hardships upon you than upon myself; nor do I aim at any thing by this proceeding but the public quiet and security.

\* Fuller's Worthies, book 2. p. 53.

† Life of Cromwell, p. 340.

As to my own circumstances in the world, I have not much improved them, as these gentlemen (pointing to his council) well know." But Ludlow, sir Henry Vane, and colonel Rich, persisting in their refusal to give security, were taken into custody. Bishop Burnet says, that others solicited him to restore the young king, and that the earl of Orrery told him he might make his own terms; but that Cromwell replied, "that the son could never forgive his father's blood; and that he was so debauched he would undo every thing." It was therefore resolved to set him aside, and proceed upon the present plan.

When the parliament met according to appointment, the reverend Dr. Owen preached before them; his text was Isa. xiv. 32; "What shall one then answer, the messengers of the nation? that the Lord hath founded Zion, and the poor of his people shall trust in it." From the abbey, the protector went with the members to the painted chamber, where he made a speech and then dismissed them to their house: but to prevent their entering into debates about his title, a guard was placed at the door, with a paper of recognition for each member to subscribe, wherein they promised not to act any thing prejudicial to the government as it was established under a protector. Upon their subscribing this, if they were under no disqualification, they had a certificate of their return, and of their being approved by his highness and council\*. This measure was certainly inconsistent with the freedom of parliaments: for if the crown has a negative upon the return of the members, they are tools of the crown, and not representatives of the people; because, though they are legally chosen and returned by the proper officer, a superior tribunal may set them aside. Besides, if the parliament was to give a sanction to the new government, the recognition was absurd, because it obliged them to consent to that which they had no liberty to debate. It must therefore be allowed, that Cromwell's protectorship was built solely upon the authority of the council of officers: this being one of those fundamentals which his highness would not suffer any of his parliaments to debate. But it is highly probable that these stretches of power might be absolutely unavoidable at this time, to maintain government under any form; and that without them the several parties would have fallen to pieces, and involved the nation in confusion and a new war. The parliament, in their humble petition and advice, guarded against the exclusion of their members for the future, except by a vote of the house, which the protector freely consented to; so that this was only a temporary expedient, and not to be made a precedent of: but at present almost one hundred members refused to subscribe, and were therefore excluded. These presented a petition to the sitting members for redress, and were answered, that the protector had promised to relieve them if they could shew cause of complaint. But instead of this, they appealed

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\* Whitelocke, p. 639.



to the people in a severe remonstrance, charging his highness with invading their fundamental rights and liberties, and preventing the free meeting of the representatives of the people in parliament. To which it was replied, that if they would not so much as own the protector, they had no colour or pretence to call themselves members of parliament.

The sitting members having chosen sir Thomas Widdrington their speaker, approved of the war with Spain, and voted supplies to support his highness in the prosecution of it. They renounced and disannulled the title of Charles Stuart; and passed an act, making it high treason to compass or imagine the death of the lord-protector. They reviewed the orders and ordinances of the protector and his council in the intervals of parliament, and confirmed most of them. They abrogated the authority and power of the major-generals, conceiving it inconsistent with the laws of England, and liberties of the people. These, and some other acts hereafter mentioned, were presented to his highness, November 27, for confirmation; and as he was pleased to confirm them all, he told them, that as it had been the custom of the chief governors to acknowledge the care and kindness of the commons upon such occasions, so he did very heartily and thankfully acknowledge their kindness therein. But the parliament continued sitting till next year, when we shall meet with more important transactions.

The act for security of the protector's person was no sooner passed than a plot was discovered against his life. Miles Syndercomb, a leveller, a bold, resolute man, having been disbanded in Scotland, combined with one Cecil, and another of the protector's lifeguards, to assassinate him as he was going to Hampton-court; but being disappointed once and again by some unexpected accidents, the other conspirators betrayed the design. Syndercomb put himself on his trial, and was condemned on the statute 25th of Edward III., the chief-justice Glynne declaring, that by the word king in the statute, any chief magistrate was understood. But Syndercomb prevented the execution; for the very morning he was to suffer, he was found dead in his bed; whereupon his body was tied to a horse's tail, and dragged naked to the scaffold on Tower-hill, and then buried with a stake driven through it. However, a day of public thanksgiving was appointed for the protector's deliverance, February 20; when his highness gave the speaker and members of parliament a splendid entertainment at the Banqueting-house.

The war with Spain this summer was attended with vast success, for no sooner had the king of Spain seized the effects of the English merchants in his country, than the protector ordered his admirals, Blake and Montague, to block up the harbour of Cadiz, and look out for the Plate fleet, which captain Stayner, who was left with seven men-of-war upon the coast, while the admirals were gone to Portugal for fresh water, discovered, consisting of eight men-of-war, making directly for Cadiz; Stayner bore up to them

with all the sail he could make, and engaged them within four leagues of their port; the Spanish admiral ran his ship ashore with six hundred thousand pieces of eight; but the vice-admiral, with twelve hundred thousand pieces of eight, and another galley, were fired and sunk; the rear-admiral, with two millions of plate in her, was taken; and upon the whole, six of the eight ships were destroyed; the plate, to the value of two millions, was brought to Portsmouth, and conveyed in carts to London, and carried through the city to the Tower to be coined. Admiral Blake, with the rest of the fleet, wintered upon the coast of Spain, and destroyed another fleet of much greater value the next summer.

After the discovery of Syndercomb's plot, the Prelatists, Presbyterians, and Levellers, were pretty quiet, but the Quakers began to be very troublesome. The reader has been informed, under the year 1650, that George Fox travelled the countries, declaiming in the market-places, and in churches, against all ordained ministers, and placing the whole of religion in an inward light, and an extraordinary impulse of the Holy Spirit. In the year 1652 the Quakers set up separate assemblies in Lancashire, and the adjacent parts. In 1654 they opened the first separate meeting of the people called Quakers in the house of Robert Dring, in Watling-street, London. These unwary people, by interrupting public worship, and refusing to pay any respect to the magistrate, frequently exposed themselves to sufferings\*. One of them, in a letter to the protector, says, "that though there are no penal laws in force, obliging men to comply with the established religion, yet the Quakers are exposed upon other accounts; they are fined and imprisoned for refusing to take an oath; for not paying their tithes; for disturbing the public assemblies, and meeting in the streets, and places of public resort; some of them have been whipped for vagabonds, and for their plain speeches to the magistrates." But the Quakers were so far from being discouraged, that they opened a public meeting under favour of the toleration, at the Bull-and-Mouth Inn, in Aldersgate-street, where women as well as men spake as they were moved; and when none were

\* Gough says, "that mostly (though not always) they waited till the worship was ended." The Quakers, he observes, were not singular concerning gospel-liberty of prophesying. The Baptists and Independents adopted the opinion, that ordained ministers had not, either from the appointment of Christ, or the practice of the primitive Christians, an exclusive right of speaking in the church; but that all properly gifted might speak one by one. During the civil wars it had been usual for laymen, soldiers, and others, with the connivance, if not with the approbation, of the ruling powers, to speak or preach in the public places of worship, or elsewhere. Oliver Cromwell, in his correspondence with the ministers of Scotland, in 1650, had vindicated the practice. The members of this infant society, who thought it their duty to declare the burden of the word on their minds, were sanctioned by the opinions and manners of the age. They were reprehensible only when the impetuosity of their zeal interrupted the service as it was proceeding. And then the irregularity and rudeness of this conduct did not justify the violence and outrage with which they were often treated: as contrary to humanity and civilization as to the professed principles of religious liberty. Gough's History of the Quakers, vol. i. p. 87.—Ed.



moved, there was no speaking at all\*. The novelty of this assembly drew great numbers of people thither out of curiosity; nor did any give them disturbance, as long as they continued quiet within themselves; but in several places where they had no business, the extravagance of their speakers was insufferable; one of them interrupted the minister in Whitechapel-church, and disturbed the whole assembly. A female came into Whitehall-chapel, stark naked, in the midst of public worship†, the lord-protector himself being present. Another came into the parliament-house with a trenchard in her hand, which she broke in pieces, saying, "Thus shall ye be broke in pieces." Thomas Aldam, having complained to the protector of the imprisonment of some friends in the country, and not finding redress, took off his cap and tore it in pieces, saying, "So shall thy government be torn from thee and thy house." Several pretending an extraordinary message from Heaven, went about the streets of London, denouncing the judgments of God against the protector and his council. One came to the door of the parliament-house with a drawn sword, and wounded several who were present, saying, "he was inspired by the Holy Spirit to kill every man that sat in the house‡." Others in their prophetic raptures denounced judgments on the whole nation, and frequently disturbed the public assemblies where the chief-magistrate himself was present. Many opened their shops on the Lord's day, in defiance of the laws, and were so very obstinate and intractable, that it was impossible to keep the peace without some marks of severity.

But the most extravagant Quaker that appeared at this time was James Naylor, formerly an officer in major-general Lambert's troops in Scotland, a man of good natural parts, and an admired speaker among these people; some of whom had such a veneration for him, that they styled him in blasphemous language, the "everlasting Sun of righteousness; the Prince of peace; the only begotten Son of God; the fairest among ten thousand." Some of the friends kissed his feet in the prison at Exeter, and after his

\* Sewel's History, p. 84.

† It does not appear on what authority Mr. Neal brings forward this story. It is not to be met with in Sewel, who does relate the two following facts, p. 144. If it were a well authenticated fact, and if this female were a Quaker, the impropriety and indecency of her conduct ought not to be imputed to the society, unless it directly arose from their avowed principles, and had been sanctioned by their approbation. Mr. Neal, farther on, speaks of "other extravagances of this people recorded by our historians about that time." The matter of inquiry will be whether those historians wrote on good evidence, and were candid and fair in their representations. He says, that "the protector was continually teased with their importunities:" others may applaud the firmness and perseverance with which their remonstrances, on the persecutions they suffered, here called teasing importunities, were renewed. "Fox and others (he adds) wrote letters to him, filled with denunciations of the divine judgments." If we may judge by the specimens of these letters, which Sewel and Gough have given us, the candid reader will find reason rather to applaud the honest simplicity and undisguised plain dealing in them, than contempt of authority, or bitter invectives.—Ed.

‡ Whitelocke, p. 592.

release went before him into the city of Bristol, after the manner of our Saviour's entrance into Jerusalem; one walked bareheaded; another of the women led his horse; others spread their scarfs and handkerchiefs before him in the way, crying continually as they went on, "Holy, holy, holy, is the Lord God of hosts: Hosanna in the highest; holy, holy, is the Lord God of Israel \*." Upon this the magistrates of Bristol caused him to be apprehended, and sent up to the parliament, who appointed a committee to examine the witnesses against him, upon a charge of blasphemy; (1.) For admitting religious worship to be paid to him; and, (2.) For assuming the names and incommunicable titles and attributes of our blessed Saviour, as the name Jesus, the fairest amongst ten thousand, the only begotten Son of God, the Prophet of the Most High, the King of Israel, the everlasting Sun of righteousness, the Prince of peace." All which he confessed†, but alleged in his own defence, that these honours were not paid to him, but to Christ who dwelt in him.

The committee asked him, why he came in so extraordinary a manner into Bristol. To which he replied, that he might not refuse any honours which others who were moved by the Lord gave him. Being farther asked whether he had reproved the persons who gave him those titles and attributes, he answered, "If they had it from the Lord, what had I to do to reprove them? If the Father has moved them to give these honours to Christ, I may

\* The story of James Naylor was too remarkable, both on account of the extravagant delusions which misled him and his admirers, and the severe and illegal sentence under which he suffered, not to be recorded. But to give it as a picture of Quakerism is not fair or candid: for not only Sewel himself condemns the behaviour of Naylor and his followers, and resolves it into his being stupified in his understanding, and beguiled by the wiles of Satan; but informs us that the Quakers in general spoke against him and his doings. They disowned him and his adherents. Gough therefore, not without reason, complains that this has been passed over unnoticed, while the enormities of this man, instead of being overlooked, have been rather exaggerated. The reflection he makes on this is just, and deserves serious attention. "There seem to be a pride and malignity in human nature, while unreformed by religion, diametrically opposite to Christian charity, which, unconscious of sublime virtue in itself, and aiming to depress the rest of mankind below its own level, delights to dwell on the dark side of characters, to magnify the failings of men, and draw a suspicious shade over their virtues, or the mitigating circumstances of their defects; and this malevolent disposition receives new force from the spirit of party, which peculiarly characterized this age, and raged with unabated violence against the Quakers."—It may be added, though it should be with deep concern, that even good and liberal minds do not always rise wholly superior to the influence of these dispositions. Gough's History, vol. 1. p. 247, 248. 251. Sewel's History, p. 143. 150.—Ed.

† This is not accurate. When the speaker Widdrington was going to pronounce the sentence, J. Naylor said, "he did not know his offence." To which the speaker replied, "he should know his offence by his punishment." The trial was published, but the extravagancy of the sentence countenances the suspicion, that the account was partially taken and published to justify the cruelty of it. Some of his answers were innocent enough: some not clear, and some wrested and aggravated by his adversaries: they reported the worst, and more than was true: adding and diminishing, it is said, as they were minded; and leaving out much of what was spoken to the committee. His words were perverted, and ensnaring questions proposed to him. Sewel's History, p. 139, note, and p. 140; or Gough, vol. 1. p. 237, 238, note.—Ed.



not deny them; if they have given them to any other but to Christ, I disown them." He concluded his defence thus: "I do abhor that any honours due to God should be given to me, as I am a creature; but it pleased the Lord to set me up as a sign of the coming of the righteous one, and what has been done to me passing through the town, I was commanded by the power of the Lord to suffer to be done to the outward man, as a sign; but I abhor any honour as a creature."

From the committee, he was brought to the bar of the house, where the report being read, he confessed it; upon which the house voted him guilty of blasphemy, and ordered him to be set in the pillory two hours at Westminster, and two hours at the Old Exchange; that he should be whipped through the streets from Westminster to the Old Exchange; that his tongue should be bored through with a hot iron, and his forehead stigmatized with the letter B; he was afterward to be sent to Bristol, and to ride through the city with his face to the horse's tail, and to be whipped the next market day after he came thither. Last of all, he was to be committed to Bridewell, in London, to be restrained from company, and to be put to hard labour till he should be released by parliament; during which time he was to be debarred from pen, ink, and paper, and to have no sustenance\* but what he got by his hard labour. A sentence much too severe for such a wrongheaded obstinate creature.†

December 18, James Naylor stood in the pillory in the Palace-yard, Westminster, and was whipped to the Old Exchange; the remainder of the sentence being respited for a week, in which

\* It ought to be mentioned, to the honour of humanity, and as a proof that some persons of equity and moderation existed in those times, that several persons of different persuasions had offered petitions to parliament on his behalf, but it was resolved not to read them till sentence had been passed: when by the execution of the first part of it he was reduced to a state of extreme weakness, many again interposed in his favour by a petition, which was presented to the house by more than a hundred on behalf of the subscribers, while the execution of the remaining part was respited for a week, pleading that this respite had refreshed the hearts of many thousands altogether unconcerned in his practice, and praying that it might be wholly remitted. But intolerance and vindictiveness resisted these solicitations. The protector was then addressed; on which he wrote a letter to the house; but this, though it occasioned some debate, obtained no resolution in favour of the prisoner. On this the petitioners presented a second address to the protector: but it is said, the public preachers by their influence prevented its effect. Sewel, p. 141; and Gough, vol. 1. p. 240, 241.—Ed.

† Mr. Neal's censure of this sentence is too gentle. It was repugnant to humanity, equity, and wisdom. For though the religious extravagances of Naylor might reasonably shock pious and sober minds, his criminality ought to have been estimated, not by the sound of the titles and claims he assumed or which were given to him, but by the delusion and frenzy which had seized his brain; and on this ground he was an object of pity, not of indignation; and he should have been assigned over to a physician for a cure of his madness, and not to the executioner of public justice to be punished. His features, we are told, bore a near resemblance to the common pictures of Christ; which is candidly mentioned by Mr. Granger to account for his imagining that he was transformed into Christ; and which circumstance ought to have had its influence with his judges. History of England, vol. 3. p. 149, 8vo.—Ed.

time the reverend Mr. Caryl, Manton, Nye, Griffith, and Reynolds, went to him, in order to bring him to some acknowledgment of his crime\*; but not being able to reclaim him, the remainder of his sentence was executed December 27, when some of his followers licked his wounds, and paid him other honours both ridiculous and superstitious. He was afterward sent to Bristol, and whipped from the middle of Thomas-street, over the bridge to the middle of Broad-street. From Bristol he was brought back to Bridewell, London, where he remained sullen for three days, and would not work, but then begged for victuals, and was content to labour.

At length, after two years' imprisonment, he recanted his errors so far as to acknowledge, that the honours he received at his entrance into Bristol were wrong; "and all those ranting, wild spirits, which gathered about me (says he) at that time of darkness, with all their wild acts, and wicked works, against the honour of God and his pure spirit and people, I renounce. And whereas I gave advantage, through want of judgment, to that evil spirit, I take shame to myself." After the protector's death James Naylor was released out of prison, and wrote several things in defence of the Quakers, who owned him as a friend, notwithstanding his extravagant behaviour†; but he did not long survive his enlargement, for retiring into Huntingdonshire, he died there towards the latter end of the year 1660, about the forty-fourth year of his age‡. Mr. Whitelocke observes very justly, that

\* These gentlemen, in many respects excellent characters, did not manage this interview in a manner worthy of themselves, or honourable to their memory. For they would admit no friend of his, nor any other person, into the room, although requested. When Naylor insisted that what had passed should be put in writing, and a copy left with him or the jailor, they consented: but on his remarking afterward in the course of the conversation, on perceiving they meant to wrest his words, "how soon they forgot the work of the bishops who were now treading the same steps, seeking to ensnare the innocent," they rose up in a rage, and burnt what they had written. Sewel, p. 142. Gough, vol. 1. p. 242.—Ed.

† The reflections insinuated here against the Quakers might have been well spared: and it would have been more handsome in our author to have stated the matter as Sewel has: "James Naylor (says he) came to very great sorrow and deep humiliation of mind: and therefore, because God forgives the transgressions of the penitent, and blotteth them out, and remembereth them no more, so could James Naylor's friends do no other than forgive his crime, and thus take back the lost sheep into their society." Sewel's History, p. 153.—Ed.

The expressions uttered by James Naylor, about two hours before his death, both in justice to his name, and on account of their own excellence, deserve to be preserved here. "There is a spirit which I feel (he said), that delights to do no evil, nor to revenge any wrong, but delights to endure all things, in hopes to enjoy its own to the end: its hope is to outlive all wrath and contention, and to weary out all exaltation and cruelty, or whatever is of a nature contrary to itself. It sees to the end of all temptation: 'as it bears no evil in itself, so it conceives none in thought to any other: if it be betrayed, it bears it; for its ground and spring are the mercies and forgiveness of God: its crown is meekness, its life is everlasting love unfeigned, and takes its kingdom with entreaty and not with contention, and keeps it by lowliness of mind. In God alone it can rejoice, though none else can regard it, or can own its life: it is conceived in sorrow, and brought forth without any pity to it; nor doth it murmur at grief and oppression. It never rejoiceth but through sufferings, for with the world's joy it is murdered: I found it alone being forsaken; I have fellowship therein with them who lived in dens and



many thought he was too furiously prosecuted by some rigid men<sup>s</sup>.

Other extravagances of this people, about this time, are recorded by our historians. The protector was continually teased with their importunities; they waited for him on the road, and watched about his palace, till they got an opportunity to speak to him. George Fox, and others, wrote letters filled with denunciations of divine judgments, unless he would pull down the remains of antichrist, by which they understood church-ministers, and church-maintenance. To which the protector paid no regard.

As new inroads were made upon the ordinances for observation of the sabbath, the parliament took care to amend them. This year they ordained, that "the sabbath should be deemed to extend from twelve of the clock on Saturday night, to twelve of the clock on the Lord's day night; and within that compass of time they prohibited all kinds of business and diversions, except works of necessity and mercy. No election of magistrates is to be on the Lord's day; no holding of courts, or return of writs, but if, according to their charters, they fall upon the Lord's day, they are to be deferred to Monday. It is farther enacted, That all persons not having a reasonable excuse, to be allowed by a justice of peace, shall resort to some church or chapel, where the true worship of God is performed, or to some meeting-place of Christians not differing in matters of faith from the public profession of the nation, on penalty of two shilling and six-pence for every offence. It is farther ordered, that no minister shall be molested or disturbed in the discharge of his office on the Lord's day, or any other day, when he is performing his duty, or in going and coming from the place of public worship. Nor shall any wilful disturbance be given to the congregation, on penalty of five pounds, or being sent to the workhouse for six months, provided the information be within one month after the offence is committed †." This ordinance to be read in every church or chapel of this nation annually, the first Lord's day in every March.

The oath of abjuration, for discovering Popish recusants, not being effectual, it was now farther ordained, "that all justices of

desolate places in the earth, who through death obtained this resurrection and eternal life." After his fall James Naylor was a man of great self-denial, and very diffident and jealous of himself. Sewel, p. 159. Gough's History, vol. 1. p. 246.—Ed.

\* Whitelocke's observation on Naylor's sentence, just as it is, is not sufficiently strong and poignant. In its cruelty this sentence bore a great resemblance to that passed on Dr. Leighton by the infamous court of star-chamber: and it vied with it in illegality, for the house of commons, as Gough remarks, is no court of judicature, nor hath any power to inflict a punishment beyond imprisonment during its session. Hist. of the Quakers, vol. 1. p. 239. It ought not to be omitted, that many of the members were very averse to the severity of the measures taken against this persecuted man, whom a temporary frenzy misled. Though it may be added here, the recantation of this bewildered victim was not published till after his release, yet that and other pieces were written by him while he was in prison: during which period he recovered a sound state of mind, and repented of his errors. Sewel, p. 144.—Ed.

† Scobel, p. 438.

peace, at the quarter-sessions, should charge the grand juries to present all persons whom they suspected to be popishly affected; and that every such person should appear at the next quarter-sessions, and take and subscribe the following oath of abjuration, on penalty of being adjudged Popish recusants convict, to all intents and purposes whatsoever.

"I, A. B., do abjure and renounce the pope's supremacy and authority over the Catholic church in general, and over myself in particular. And I do believe the church of Rome is not the true church; and that there is not any transubstantiation in the sacrament of the Lord's Supper, or in the elements of bread and wine after consecration thereof, by any person whatsoever. And I do also believe, that there is not any purgatory; and that consecrated hosts, crucifixes, or images, ought not to be worshipped; neither that any worship is due unto them. And I also believe, that salvation cannot be merited by works. And I do sincerely testify and declare, that the pope, neither of himself, nor by any authority of the church or see of Rome, or by any other means, with any other, hath any power or authority to depose the chief magistrate of these nations, or to dispose of any of the countries or territories thereunto belonging; or to authorize any foreign prince or state to invade or annoy him or them; or to discharge any of the people of these nations from their obedience to the chief magistrate; or to give licence or leave to any of the said people to bear arms, raise tumults, or to offer any violence or hurt to the person of the said chief magistrate, or to the state or government of these nations, or to any of the people thereof. And I do farther swear, that I do from my heart abhor, detest, and abjure, this damnable doctrine and position, that princes, rulers, or governors, which be excommunicated or deprived by the pope, may, by virtue of such excommunication or deprivation, be killed, murdered, or deposed from their rule or government; or any outrage or violence done to them by the people that are under them; or by any other whatsoever upon such pretence. And I do farther swear, that I do believe that the pope, or bishop of Rome, hath no authority, power, or jurisdiction, whatsoever, within England, Scotland, and Ireland, or any or either of them, or the dominions or territories thereunto belonging, or any or either of them. And all doctrines in affirmation of the same points I do abjure and renounce, without any equivocation, mental reservation, or secret evasion, whatsoever, taking the words by me spoken according to the common and usual meaning of them. And I do believe no power derived from the pope or church of Rome, or any other person, can absolve me from this mine oath. And I do renounce all pardons and dispensations to the contrary. So help me God \*."

Upon refusal of this oath, the protector and his successors might, by process in the exchequer, seize upon two-thirds of their estates

\* Scobel, p. 444.



both real and personal, for the use of the public, during the time of their recusancy; but after their decease, the same were to return to the right heir, provided they took the above-mentioned oath. It was farther ordained, "that no subject of this commonwealth shall at any time be present at mass, in the house of any foreign ambassador, or agent, or at any other place, on penalty of 100*l.* and imprisonment for six months, half to the protector, and half to the informer."

How far these severities were needful or justifiable I leave with the judgment of the reader.

The protector had an opportunity this year, of appearing for the Protestants of France \*, as he had done last year for those of the Valleys; there happened a quarrel between the burghers of Nismes, who were mostly Hugonots, and the magistrates and bishop of the city; the intendant of the province being informed of it, repaired thither to prevent an insurrection; but the burghers standing in their own defence raised a tumult, of which the intendant sent an account to court. The burghers, being soon sensible of their folly, submitted and begged pardon; but the court, laying hold of the opportunity, resolved to ruin them. Upon which they dispatched a messenger privately to Cromwell, and begged his interposition. The protector, having heard the whole account, bid the messenger stay and refresh himself, and before he could return to Paris, his business should be done. Accordingly, an express was immediately dispatched with a letter to the king of France, under cover of the following to cardinal Marazine.

*"To his Eminence the Lord Cardinal Mazarine.*

"Having thought necessary to dispatch this gentleman to the king with the enclosed letter, I commanded him to salute your eminence on my part; and having charged him to communicate to you certain affairs which I have entrusted him with, I therefore pray your highness to give credit to what he shall say, having an entire confidence in him.

"Your eminence's most affectionate,

"O. CROMWELL, protector of the

"Commonwealth of England, &c.

"Whitehall, December 28th, 1656."

The protector added the following postscript with his own hand; "I have been informed of the tumult at Nismes: I recommend to your highness the interest of the reformed." And

\* The conduct of Cromwell, in this instance, does him the more honour, as, unhappily for the suffering Protestants of France, it is unparelleled. It was not formed on any precedent; nor has his generous example been followed. "When an opportunity (observes an ingenious writer) offered for doing something for them at the peace of Ryswick, in 1697: and again of Utrecht, 1713, at which time four hundred were still groaning on board the galleys, or perishing in dungeons, there was not one stipulation in their favour. Bicheno's Signs of the Times, part 1. p. 46, note.—ED.

in his instructions to his ambassador Lockhart, he commanded him to insist peremptorily, that the tumult of Nismes be forgiven, or else to leave the court immediately. Mazarine complained of this usage, as too high and imperious; but his eminence stood in too much awe of the protector to quarrel with him, and therefore sent orders to the intendant to make up the matter as well as he could. Mr. Welwood says, the cardinal would change countenance whenever he heard the name of the protector, insomuch that it became a proverb in France, that Mazarine was not so much afraid of the devil as of Oliver Cromwell. Such was the terror of this great man's name in the principal courts of Europe!

This year\* died the right reverend and pious Dr. Joseph Hall, bishop of Norwich, whose practical works have been in great esteem among the dissenters. He was born at Ashby-de-la-Zouch in Leicestershire, and educated in Emanuel-college, Cambridge. When he left the university, he travelled with sir Edmund Bacon to the Spa in Germany. Upon his return, he was taken into the service of prince Henry, and preferred to the rectory of Waltham in Essex, which he held twenty-two years. King James sent him to the synod of Dort with other English divines, where he preached a Latin sermon; but was forced to retire to England before the synod broke up, on the account of his health. Some time after his return, he was preferred to the bishopric of Exeter, and from thence translated to Norwich. At the beginning of the troubles between the king and parliament, the bishop published several treatises in favour of diocesan

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\* In September, this year [1656], there happened at Abingdon in Berkshire a tumult, which was attended with singular circumstances, expressive of the political as well as religious frenzy of the times. It was occasioned by the burial of Mr. Pendarvis, the pastor of the Baptist church in that town; who died in London, and was brought down to Abingdon by water, in a sugar-cask filled up with sand, to be interred. As he was one of the fifth-monarchy men, and the people to whom he ministered were of that stamp, and famous among the party in general, his interment drew together so vast a concourse of people, even from the remotest parts of the kingdom, that the governing powers took notice of it, and sent major-general Bridges with a party of soldiers to attend on the occasion. Several days were spent by the people in religious exercises, in which were thrown out many railing accusations against the existing government, and exhortations to "arise and fight the Lord's battles," &c. At last the major-general sent an order to dissolve the meeting in these words: "It is the order of the state, that you depart to your habitations." They refused to obey this order, and persisted in their exercises. A guard was then set upon the house where they were assembled. On this they repaired to the market-place, and continued in the most insolent manner to rail at the protector, and abuse the soldiers; crying out, "Now, Lord, appear; down with the priests," &c. the very women exciting the men to violence. The soldiers at last pulled down the men from their stools. A fray ensued, and swords and canes were brandished together in the greatest confusion, and some few slightly hurt. The major-general then entered the town with his whole brigade of horse. The ringleaders were apprehended and brought before him: with whom he reasoned and expostulated in the most friendly manner, but without success. For none of them would own their fault, or acknowledge the existing government, nor even promise to behave peaceably, saying, "they knew not how soon they might be called forth to do the Lord's work." However, five only were committed to prison, and they were soon afterward released. Thompson's Collections, under word Abingdon MSS.—Ed.



episcopacy, which was answered by Smectymnuus, as has been already related. He was afterward imprisoned in the Tower with the rest of the protesting bishops; upon his release he retired to Norwich, the revenues of which bishopric being soon sequestered, together with his own real and personal estate, he was forced to be content with the fifths. The soldiers used him severely, turning him out of his palace, and threatening to sell his books, if a friend had not given bond for the money, at which they were appraised. The bishop complained very justly of this usage, in a pamphlet entitled *Hard Measure*. At length the parliament, to make him some amends, voted him 40*l.* per annum; and when the war was ended, in the year 1647, they took off the sequestration from his estate, and the bishop lived peaceably upon it afterward, spending his solitude in acts of charity and divine meditation. He was a learned and pious man, and of great humility and goodness in conversation; but being the tool of archbishop Laud, in supporting the divine right of diocesan episcopacy, lessened him in the esteem of the parliament. Mr. Fuller says \*, he was frequently called our English Seneca, for the pureness, plainness, and fulness, of his style †. He was more happy in his practical than polemical writings. There is one remarkable passage in his will, which is this: after having desired a private funeral, he adds, “I do not hold God’s house a meet repository for the dead bodies of the greatest saints.” In his last sickness he was afflicted with violent pains of the stone and strangury, which he bore with wonderful patience, till death put an end to all his troubles, September 8, 1656, in the eighty-second year of his age.

Towards the latter end of this year died the reverend Mr. Richard Capel, born at Gloucester 1586, and educated in Magdalen-college, Oxon, where he proceeded M. A. ‡ His eminence in the university, says the Oxford historian, was great; he had divers learned men for his pupils, who were afterwards famous in the church, as Accepted Frewen, archbishop of York, William Pemble, and others. He left the university for the rectory of Eastington in his own county, where he became celebrated for his painful and practical preaching, as well as for his exemplary life. When the book of sports came out 1633, he refused to read it, but resigned his rectory, and commenced physician. In 1641 he closed with the parliament, and was chosen one of the assembly of divines, but declined sitting among them, choosing to reside at his living at Pitchcomb, near Stroud, where he was in great reputation as a physician and divine, preaching gratis to his congregation. He published several valuable treatises, and among others

\* Fuller’s *Worthies*, book 2. p. 130.

† In his younger years he composed a book of satires, and was the first writer in that kind of our English poets. Mr. Pope said high things of this performance. Granger’s *History of England*, vol. 2. p. 157, 8vo.—En.

‡ Fuller’s *Worthies*, 260.

a celebrated one, Of Temptations, their Nature, Danger, and Cure. He was a good old Puritan, of the stamp of Mr. Dod, Cleaver, and Hildersham; and died at Pitchcomb in Gloucestershire, September 21, 1656, aged seventy-two years\*.

\* Mr. Neal has passed over here a name of great worth and eminence, which ought not to be forgotten in a history of the progress of religious liberty; that of the "ever-memorable" John Hales of Eton, as he has been usually called, who died on the 19th of May, 1656, aged seventy-two years: whose writings, though not numerous, especially his Discourse on Schism, have much contributed to promote just sentiments and a liberality of spirit. He was born at Bath, in 1584, and made so early a proficiency in grammar-learning, that at thirteen years of age he was sent to Corpus-Christi college in Oxford; and studied under George Abbot, afterward archbishop of Canterbury, under whom he imbibed an attachment to the doctrines of Calvinism. In 1605, by the interest of sir Henry Saville, warden of Merton-college, whose notice and patronage his merit and learning had attracted, he was chosen fellow of the same: and his assistance was engaged in the excellent edition of Chrysostom's work by sir Henry; which is the best printed Greek book England can boast, and cost the learned editor several thousand pound. Harwood's View of the Editions of the Classics, second edition, p. 143.—Mr. Hales was also appointed to read the Greek lecture in his college, and in 1612 he was elected Greek professor to the university. In 1612—13 he was called upon to compose and speak the funeral oration for sir Thomas Bodley, founder of the Bodleian library, whose corpse the university determined to inter in the most solemn manner. On the 24th of May in that year, he was admitted fellow of Eton-college, being then in holy orders. In 1618 he accompanied sir Dudley Carleton, king James's ambassador to the States of Holland, as his chaplain; and was present at many of the sessions of the synod of Dort: from whence he returned an Arminian: "There (he said) I bid John Calvin good night." On the 27th of June, 1639, by the interest of archbishop Laud, he was installed a canon of Windsor: but he enjoyed this preferment, which he reluctantly accepted, little more than two years, till the beginning of the civil wars in 1642. About the beginning of 1645 he retired into a private chamber at Eton; where he remained a quarter of a year [in a very obscure manner, and he is said, during that time, to have lived only upon bread and beer. His fellowship was continued, though he refused to sign the covenant; but he was ejected from it on refusing to take the oath of fidelity to the commonwealth. His necessities at length obliged him to sell his admirable library for 700*l.*, which had cost him 2,500*l.* His love of retirement and study induced him to decline a generous offer of one of the Seldian family. When he held the fellowship and bursar's place of his college, he was wont to say, they were worth to him 50*l.* a year more than he could spend. His body, it is reported, was well-proportioned, and his motion brisk and lively. His countenance was sanguine, cheerful, and full of air. His parts were great: his genius acute and piercing, his judgment profound: his learning various, polite, and universal; so that he was called "a walking library." His manners were most amiable and engaging. He was most exemplarily meek and humble; and beyond all example charitable: of great candour and moderation; judging for himself, but not others; none more studious of the knowledge of the gospel, or more curious in the search: of the strictest integrity, and sincerely pious. He had a great detestation of an imposing, censorious, and intolerant spirit: and would often say, that "he would renounce the religion of the church of England to-morrow, if it obliged him to believe that any other Christians would be damned: and that nobody would conclude another man to be damned, who did not wish him so." The force, eloquence, and simplicity, with which he wrote to archbishop Laud, give a picture of his mind, as well as convey excellent instruction. The pursuit of truth (says he) has been my only care ever since I understood the meaning of the word. For this I have forsaken all hopes, all friends, all desires, which might bias me, and hinder me from driving right at what I aimed. For this I have spent my money, my means, my youth, my age, and all that I have.—If with all this cost and pains my purchase is but error, I may safely say, to err has cost me more than it has many to find the truth; and truth shall give me this testimony at last, that if I have missed of her, it is not my fault, but my misfortune." He was buried, according to his desire, in



the chief officers remonstrated strongly against it, and many of his old friends, among whom was his own son-in-law Fleetwood, threatened to lay down their commissions. All the republicans declaimed loudly against his accepting the crown, and presented a petition to the house against it, drawn up by Dr. Owen, and presented by lieutenant-general Mason: they said, "they had pulled down monarchy with the monarch, and should they now build it up?—They had appealed to God in the late war, who had answered in their favour, and should they now distrust him?—They had voted to be true to the commonwealth, without king or kingship, and should they break their vows, and go back to Egypt for security?—They thought it rather their happiness to be under a legal danger, which might make them more cautious and diligent.—Some said, if they must have a king, why not the legal one \*?"—Upon these grounds they stood out, and rejected with scorn all limitations of the prerogative under monarchy. So that whatever might be the protector's inclination†, he judged it most prudent to decline the crown at present; and accordingly, May 8, he sent for the house, and acquainted them, that, as the circumstances of affairs then stood, he could not undertake the government with the title of king‡.

Some have been of opinion, that the protector's great genius forsook him in this affair; but it is impossible, at this distance of time, to judge of the strength of the reasons that determined him the other way. Had he assumed the title of king, the army would have revolted; the cavaliers would have joined the republicans to have pulled him down from the throne, the whole nation would in all probability have been thrown into confusion, and himself have been the sacrifice. The protector had made large advances in power already, and he might apprehend it not worth while at present to risk the whole for the sake of a name; though I make no question, but if he had lived to see his government established, and the spirits of the people calmed, he would in a proper time have accepted of the style and title, as he had already done the office, of king. Nay, Mr. Welwood§ says, that a crown was actually made, and brought to Whitehall for that purpose.

Upon Cromwell's declining the title of king, the parliament concluded upon a humble petition and advice, which was presented to the protector May 25, containing, among others, the following articles—"That his highness would exercise the office

\* Burnet, vol. i. p. 98, 12mo. Edinb. edit.

† The inclinations of Cromwell were strongly in favour of kingship: for he used all possible means to prevail with the officers of the army to concur with his scheme of royalty. With this view he invited himself to dine with colonel Desborough, and carried lieutenant-general Fleetwood with him, as he knew the influence of these officers, and their aversion to his wearing the crown. He then even stooped to solicit their indulgence: "It is but a feather in a man's cap (said he), and therefore he wondered that men would not please children, and permit them to enjoy their rattle." Ludlow's Memoirs, 4to. p. 248.—Ed.

‡ Whitelocke, p. 646.

§ Memoirs, p. 111.

the public profession aforesaid in matters of faith, though they differ in matters of worship or discipline, shall not only have protection in the way of their churches or worship, but shall be deemed equally fit and capable (being otherwise qualified) of any trust, promotion, or employment, in this nation, with those who agree with the public profession of faith, only they shall not be capable of receiving the public maintenance appointed for the ministry. And all ministers shall remain disqualified from holding any civil employment according to the act for disabling all persons in holy orders to exercise any temporal jurisdiction and authority, which is hereby confirmed\*.

The protector having consented to these, and some other articles, to the number of eighteen, an oath was appointed to be taken by all privy-councillors and members of parliament for the future, "to maintain the Protestant religion; to be faithful to the lord-protector; and to preserve the rights and liberties of the people;" and a few days after Oliver Cromwell was proclaimed a second time lord-protector in the cities of London and Westminster; this being esteemed a new and more parliamentary title; and if the house had been full and free it might have been so, but the council's assuming a power to approve or disapprove of the members after they were returned; their forbidding them to debate the fundamentals of the new government, and obliging them to sign a recognition of it before they entered the house, looks like a force, or taking the election out of their hands. But lame and imperfect as the protector's title may seem, it was as good as that of the Roman emperors, or the original claims of many of the royal houses of Europe; and in the present disjointed state of the English nation, not only necessary, but it may be the best thing that could be done; for if the protectorship had been set aside, there was hardly a man in the house who would have ventured to vote for the king; an absolute commonwealth could not have been supported, and therefore anarchy would inevitably have ensued.

This being the last settlement of government in the protector's time, the reader will observe, that the four fundamental articles already mentioned, viz. (1.) that the government be in a single person and a parliament; (2.) that parliaments be not perpetual; (3.) the militia; and (4.) liberty of conscience in matters of religion; were not suffered to be examined or altered, but were supposed as the basis upon which the new government was founded. That though Oliver's title to the government had the sanction and confirmation of the present parliament, it was derived originally from the choice of the council of officers, and was never suffered to be debated in the house afterward.—That the humble petition and advice approaches nearer the old legal constitution, by appointing two houses of parliament, and would most likely, in time, have been converted into it.—That the regulations it makes

\* Whitelocke's Memoirs, p. 678.



in the constitution are for the most part reasonable.—That the Presbyterians were still left in possession of all the ecclesiastical revenues of the kingdom, though an open and free liberty was granted to all Christians, except Papists and Prelatists, who were excluded for reasons of state; and the penal laws made against the latter were dropped by the parliament's not confirming them. Remarkable are the words of the lord-commissioner Fiennes, at the opening of the second session of this parliament, in which he "warns the houses of the rock on which many had split, which was a spirit of imposing upon men's consciences in things wherein God leaves them a latitude, and would have them free. The prelates and their adherents, nay, and their master and supporter, with all his posterity, have split upon it. The bloody rebels in Ireland, who would endure no religion but their own, have split upon it; and we doubt not but the prince of those satanical spirits will in due time split upon it, and be brought to the ground with his bloody inquisition. But as God is no respecter of persons, so he is no respecter of forms, but in what form soever the spirit of imposition appears, he would testify against it. If men, though otherwise good, will turn ceremony into substance, and make the kingdom of Christ consist in circumstances, in discipline and in forms; and if they carry their animosities to such a height, that if one says Sibboleth instead of Shibboleth, it shall be accounted ground enough to cut his throat: if they shall account such devils, or the seed of the serpent, that are not within such a circle or of such an opinion, in vain do they protest against the persecution of God's people, when they make the definition of God's people so narrow, that their persecution is as broad as any other, and usually more fierce, because edged with a sharp temper of spirit. Blessed therefore be God, who in mercy to us and them has placed the power in such hands as make it their business to preserve peace, and hinder men from biting and devouring one another.—It is good to hold forth a public profession of the truth, but not so as to exclude those that cannot come up to it in all points, from the privilege that belongs to them as Christians, much less from the privilege that belongs to them as men \*."

His highness having now a more parliamentary title, it was thought proper that he should have a more solemn inauguration, which was accordingly appointed to be celebrated on June 26, in Westminster-hall, which was adorned and beautified for this purpose as for a coronation. At the upper end there was an ascent of two degrees covered with carpets, in the midst of which there was a rich canopy, and under it a chair of state. Before the canopy there was a table and chair for the speaker†, and on each side seats for the members of parliament, for the judges, for the lord-mayor and aldermen of London. The protector was conducted from the house of lords with all the state and grandeur of

\* Whitelocke's Memoirs, p. 93.

† Dr. Grey gives at length the speech with which the speaker, lord Widdrington, addressed the protector.—Ed.

a king, and being seated under the canopy of state, the speaker of the parliament, the earl of Warwick, and commissioner Whitelocke, vested him with a purple velvet robe lined with ermine; they delivered into one of his hands a Bible richly gilt, and embossed with gold; and into the other a sceptre of massy gold; and, lastly, they girt him with a rich sword; after this they administered an oath to the protector, to govern according to law. The solemnity concluded with a short prayer pronounced by Dr. Manton; and then the herald having proclaimed his highness's titles, the people shouted with loud acclamations, "Long live the lord-protector," &c., and the day concluded with feasting, and all other kinds of public rejoicing.

The protector, having waded through all these difficulties to the supreme government of these nations, appeared on a sudden like a comet or blazing star\*, raised up by Providence to exalt this nation to a distinguished pitch of glory, and to strike terror into the rest of Europe†. His management for the little time he survived was the admiration of all mankind; for though he would never suffer his title to the supreme government to be disputed, yet his greatest enemies have confessed, that in all other cases distributive justice was restored to its ancient splendour. The judges executed their duty according to equity, without partiality or bribery; the laws had their full and free course without impediment or delay; men's manners were wonderfully reformed, and the protector's court kept under an exact discipline. Trade flourished, and the arts of peace were cultivated throughout the whole nation; the public money was managed with frugality, and to the best advantage; the army and navy were well paid, and served accordingly‡. As the protector proceeded with great steadiness and resolution against the enemies of his government, he was no less generous and bountiful to those of all parties who submitted to it; for as he would not declare himself of any particular sect, he gave out, that "it was his only wish, that all would gather into one sheepfold, under one shepherd, Jesus Christ, and love one another." He respected the clergy in their places, but confined them to their spiritual function. Nor was he jealous of any who did not meddle in politics, and endeavour to raise disturbances in the state: even the prejudice he had against the episcopal party, says bishop Kennet, was more for their being royalists, than being of the church of England. But when one party of the clergy began to lift up their heads above their brethren, or to act out of

\* Echard, p. 719.

† Complete Hist. p. 223.

‡ Dr. Grey controverts the truth of this representation of the happy state of things under Cromwell's government: though Mr. Neal quotes Echard and Kennet, whose authority Dr. Grey does not attempt to invalidate. He refers principally to a speech of Cromwell, 25th January 1657, complaining that the army was unpaid, and that Ireland and Scotland were suffering by poverty. For a review of the administration of Cromwell, the reader is referred to Dr. Harris's *Life of Cromwell*, p. 412—475: and Mrs. Macaulay's *History of England*, vol. 5. 8vo. p. 194—203, who is by no means partial to the protector.—Ed.



their sphere, he always found means to take them down. He had a watchful eye over the royalists and republicans, who were always plotting against his person and government; but his erecting a house of lords, or upper house, so quickly after his instalment, roused the malecontents, and had like to have subverted his government in its infancy.

The protector was in high reputation abroad, and carried victory with his armies and navies wherever they appeared. There had been a negotiation with France concerning an alliance against Spain, begun at London, 1655, but not concluded till March 13, 1657, by which the protector obliged himself to join six thousand men with the French army, and to furnish fifty men-of-war to conquer the maritime towns belonging to Spain in the Low Countries, on this condition, that Dunkirk and Mardyke should be put into his hands, and the family of the Stuarts depart the territories of France. That which determined him to join with France rather than Spain, was the numerous parties that were against him at home; for if the young king, assisted by France, should have made a descent upon England with an army of French Protestants, it might have been of fatal consequence to his infant government; whereas the Spaniards were at a distance, and having no Protestant subjects, were less to be feared. Upon the conclusion of this treaty, king Charles entered into an alliance with the Spaniards, who allowed him a small pension, and promised him the command of six thousand men, as soon as he was possessed of any seaport in England. In consequence of this treaty, most of the royalists enlisted in the Spanish service. But the protector's six thousand men in Flanders behaved with undaunted bravery, and took St. Venant, Mardyke, and some other places, from the Spaniards this summer\*.

Admiral Blake was no less successful at sea; for having received advice of the return of the Spanish West-India fleet, he sailed to the Canaries with twenty-five men-of-war, and on the 20th of April arrived at the Bay of Santa-Cruz, in the island of Teneriff, where the galleons, to the number of sixteen, richly laden, lay close under a strong castle, defended by seven forts mounted with cannon; the admiral, finding it impossible to make them prize, had the good fortune to burn and destroy them all, only with the loss of one ship, and one hundred and sixty men. When the news of this success arrived in England, a day of thanksgiving was appointed, and a rich present ordered the admiral upon his return: but this great sea-officer, having been three years at sea, died as he was entering Plymouth-sound, August 17, in the sixty-seventh year of his age†. He was of the ancient family of the Blakes, of Planchfield, Somersetshire, and was educated in Wadham-college, Oxford‡. He was small of stature, but the bravest and boldest sailor that England ever bred,

\* Burnet, p. 73. † Other accounts say in the fifty-ninth year of his age.—Ed.

‡ Echard, p. 725.

and consulted the honour of his country beyond all his predecessors. When some of his men being ashore at Malaga refused to do honour to the host as it passed by, one of the priests raised the mob upon them. Upon which Blake sent a trumpet to the viceroy to demand the priest, who saying he had no authority to deliver him up, the admiral answered, that if he did not send him aboard in three hours he would burn the town about their ears: upon which he came, and begged pardon; the admiral, after a severe reprimand, told him, that if he had complained to him of his sailors he would have punished them, but he would have all the world know, that an Englishman was only to be punished by an Englishman, and so dismissed him, being satisfied with having struck terror into the priest, and had him at his mercy. When Oliver read this passage of Blake's letter in council, he said, "he hoped to make the name of an Englishman as great as ever that of a Roman had been\*." The admiral preserved an exact discipline in the fleet, and taught his men to despise castles on shore, as well as ships at sea†. Valour seldom missed its reward with him, nor cowardice its punishment. He had a noble public spirit; for after all his services for his country, and opportunities of acquiring immense riches from the Spaniards, he died not 500*l.* richer than his father left him. His body was brought by water to Greenwich, and deposited, in a most magnificent manner, in a vault made on purpose in king Henry VII.'s chapel, at the public expense; but at the Restoration his body was taken out of the grave, and flung with others into a common pit‡; and his brother, being a dissenter, suffered so many hardships for religion, in king Charles II.'s reign, that he was obliged to sell the little estate the admiral left him, and transport himself and children to Carolina.

By the second article of the humble advice, which appoints all future parliaments to consist of two houses, the form of the present government began to change in favour of the ancient constitution. The protector, pursuant to the powers given him, made several promotions of knights and lords, and in the month of December

\* Burnet, vol. 1. p. 113. 114.

|| It is remarkable, that Blake did not take the command of the fleet till he was above fifty years of age. "His want of experience (says Mr. Granger) seems to have been of great advantage to him; he followed the light of his own genius only, and was presently seen to have all the courage, the conduct, and precipitancy, of a good sea-officer."—Ed.

‡ Bishop Kennet, whom Dr. Grey quotes here, being ashamed, it is probable, of the base contempt with which the body of Blake was treated, says, "it was taken up and buried in the churchyard." But Wood plainly says, that his body, with others, by his majesty's express command sent to the dean of Westminster, was taken up and buried in a pit in St. Margaret's churchyard. The other bodies treated thus ignominiously were admiral Dean's, a brave man, who lost his life in the service of his country; colonel Humphrey Mackworth's; sir W. Constable's; colonel Boscawen's, a Cornish gentleman of a family distinguished by its constant attachment to liberty; and many others too long to be here mentioned. "Such (observes Dr. Harris) was the politeness and humanity introduced by the Restoration!" Life of Cromwell, p. 400. Wood's Athen. Oxon. vol. 1. p. 285, 286.



all patience, went to the house and dissolved them, after they had sat about fifteen days.

The protector's speech upon this occasion will give the reader the best idea of the state of the nation: "I had comfortable expectations that God would make the meeting of this parliament a blessing for the improvement of mercy, truth, righteousness, and peace. I was drawn into this office of protector by your petition and advice: there is not a man living that can say I sought it; but after I was petitioned and advised to take the government upon me, I expected that the same men that made the frame, should make it good to me.—I told you at a conference, that I would not accept the government, unless there might be some persons to interpose between me and the house of commons, and it was granted I should name another house, which I did, of men of your own rank and quality, who will shake hands with you while you love the interest of England and religion.—Again, I would not have accepted the government, unless mutual oaths were taken to make good what was agreed upon in the petition and advice; and, God knows, I took the oath upon the condition expressed, and thought we had now been upon a foundation and bottom, otherwise we must necessarily have been in confusion. I do not say what the meaning of the oath was to you, that were to go against my own principles, but God will judge between us; but if there had been any intention in you of a settlement, you would have settled on this basis.

"But there have been contrivances in the army against this settlement by your consent. I speak not this to the gentlemen or lords (pointing to his right hand), whatsoever you will call them, of the other house, but to you; you advised me to accept of this office, and now you dispute the thing that was taken for granted, and are in danger of running the nation back into more confusion within these fifteen days you have sat, than it has been in since the rising of the last session, from an immoderate design of restoring a commonwealth, that some people might be the men that might rule all, and they are endeavouring to engage the army in the design; which is hardly consistent with the oath you have taken to the present government. Has that man been true to the nation, whosoever he is, that has taken an oath, thus to prevaricate? These things are not according to truth, pretend what you will, but tend to play the king of Scots' game, which I think myself bound before God to do what I can to prevent. There are preparations of force to invade us; the king of Scots has an army at the water-side, ready to be shipped for England. I have it from those who have been eye-witnesses of it; and while this is doing, there are endeavours of some not far from this place, to stir up the people of this town into tumulting, what if I had said rebellion? and I hope to make it appear to be no better, if God assist me. You have not only endeavoured to pervert the army while you have been sitting, but some of you have been listing persons

Ethiopic, and Persic languages, each having its peculiar Latin translation, with an apparatus for the better understanding those tongues. This laborious performance, by the assistance of several who engaged in it, was completed in about four years, and was reckoned the most absolute edition of the Bible that the world had ever seen. Several learned persons, both Puritans and others, assisted in correcting the press, and in collating the copies. Many noblemen, and gentlemen of quality, contributed to the expense of printing this work, without which it could not have seen the light\*. After the Restoration, the doctor presented king Charles II. with the six volumes, which his majesty received very graciously, and rewarded the author with the bishoprick of Chester.

The learned Dr. Owen made some remarks on the prolegomena of this work; but after a high commendation of the performance in general, complains that he had weakened the certainty of the sacred text, (1.) By maintaining that the points or vowels of the Hebrew language were of novel invention. (2.) By producing a great number of various readings from the ancient copies of little moment. (3.) By his own critical remarks and amendments not supported by ancient authorities. The doctor maintains, on the other hand, the antiquity of the Hebrew points, and their absolute necessity to fix the determinate sense of Scripture; that the various readings are of little consequence, and that conjectural amendments ought not to be admitted without the authority of ancient copies. The doctor writes with great modesty, but the validity of his arguments must be submitted to the learned reader.

On the 3d of July the protector resigned his chancellorship of Oxford, and upon the 18th day of the same month, his eldest son Richard was chosen his successor, and installed † at Whitehall on the 29th. About six weeks after, the new chancellor dismissed Dr. Owen, who had been vice-chancellor of the university about five years, and appointed Dr. John Conant, rector of Exeter-college, to succeed him. This gentleman, says the Oxford historian ‡, was a good Latinist and Grecian, a profound theologian, a learned, pious, and meek divine, and an excellent preacher. He had been one of the assembly of divines, and was elected rector of this college, upon the death of Dr. Hakewell, in June 1649. In the latter end of the year 1654, he became king's professor of divinity in the room of Dr. Hoyle. He continued in the vice-chancellorship two years with due commendation, keeping a severe discipline in his college, as did all the heads of colleges in these times. He was ejected out of every

\* "This (Mr. Granger says) was the first book published in England by subscription. The design of this great work was formed in 1645. Dr. Walton died 1661." *History of England*, vol. 3, p. 29, 8vo.—Ed.

† The ceremonial of the instalment may be seen in Dr. Grey, vol. 3. p. 200, note.—Ed.

‡ *Athen. Oxon.* vol. 2. p. 785.



proceedings were upon some particular trials in chemistry or mechanics, which they communicated to each other. They continued without any great interruption till the death of the protector, when their meetings were transferred to London." Here they began to enlarge their design, and formed the platform of a philosophical college, to inquire into the works of nature: they set up a correspondence with learned foreigners, and admitted such into their numbers without distinction of names or parties in religion; and were at length incorporated by the royal patent or charter, in the year 1663.

This year [1657] died Mr. John Langley, the noted master of St. Paul's school, London; he was born near Banbury in Oxfordshire, and became a commoner or brother of Magdalen-hall about 1612; was also prebendary of Gloucester, where he kept the college-school for twenty years. In the year 1640 he succeeded Dr. Gill, chief master of St. Paul's school, where he educated many who were afterward eminent in church and state. He was a universal scholar, an excellent linguist, grammarian, historian, cosmographer, a most judicious divine, and so great an antiquarian, says the Oxford historian, that his delight and acquaintance in antiquity deserve greater commendation than can be given in a few lines\*. He was esteemed by learned men, and particularly by Mr. Selden; but was not regarded by the clergy, because he was a Puritan, and a witness against archbishop Laud at his trial. He was a member of the assembly of divines, and died at his house next adjoining to St. Paul's school September 13, 1657. Dr. Reynolds preached his funeral sermon, and gave him a very high encomium†.

Mr. Obadiah Sedgwick was born at Marlborough in the year 1600, and educated in Magdalen-college, Oxford, where he took the degrees in arts, and was afterward chaplain to sir Horatio Vere, with whom he travelled into the Low Countries. After his return he became reader of the sentences 1629, and was afterward chosen preacher to the inhabitants of St. Mildred, Bread-street, London; but being driven from thence by the severity of the governors of the church, he retired to Coggeshall in Essex, where he continued till the breaking out of the civil wars. In 1643 he was chosen a member of the assembly of divines. In 1646 he became a preacher at St. Paul's, Covent-garden: he often preached before the parliament, and was esteemed an ortho-

\* Wood's Athen. Oxon. vol. 2. p. 135.

† Dr. Fuller calls him "the able and religious schoolmaster." He had a very awful presence and speech, that struck a mighty respect and fear in his scholars; yet his behaviour towards them was such, that they both loved and feared him. When he was buried, all the scholars attended his funeral, walking before the corpse, hung with verses instead of escutcheons, with white gloves, as he died a single man, from the school through Cheapside to Mercer's chapel; where he was buried. He was so much in favour with the worshipful company of Mercers, that they accepted his recommendation of his successor. Knight's Life of Dr. John Colet, p. 379, &c.—Ed.

more glorious action in their lives \*. Cardinal Mazarine intended to keep this important place in French hands, contrary to the late treaty; of which his highness being informed, acquainted the ambassador; but his excellency denying any such intended breach of contract, the protector pulled out of his pocket a copy of the cardinal's private order, and desired him to let his eminence know, that if the keys of Dunkirk were not delivered to Lockhart within an hour after it was taken, he would come in person, and demand them at the gates of Paris †; and the cardinal had too great a dread of the name of Cromwell, to deny any thing he required. By this conquest the protector gained immortal glory, because it gave the English a settlement on the continent, and made them masters of both sides of the channel ‡. How basely it was sold by lord Clarendon to the French, will be seen hereafter.

The enthusiastic republicans, or fifth-monarchy men, having failed in their design in parliament, agreed, to the number of three hundred, to attempt a revolution of government by force, and having killed the protector, to proclaim King Jesus; but secretary Thurloe, who never spared expense to gain intelligence, had a spy among them, who discovered their intrigues, and seized their arms and ammunition in Shoreditch, with their standard, containing a lion couchant, alluding to the lion of the tribe of Judah, with this motto, Who will rouse him up? The chief of the conspirators, as Venner, Grey, Hopkins, &c., were imprisoned in the Gate-house till the protector's death, with their accomplices, major-general Harrison, colonel Rich, colonel Danvers, and others, after which they created new disturbances, which hastened their own destruction soon after the king's restoration.

But the most formidable conspiracy against the government was a new one of the cavaliers, with which the protector ac-

\* Dr. Grey, though he allows that Mr. Neal had the authority of Echard for the merit which he imputes to the English forces in the siege of Dunkirk, yet contends that the French had their share in the glories of the day. And, to prove this, he gives a full detail of the action from the History of Viscount Turenne. Impartial Examination, vol. 3, p. 207. 213.—Ed.

† Dr. Grey, while he grants that Cromwell was a vain man, very much questions the truth of what is said above; as it does not agree with what Whitelocke says concerning the surrender of Dunkirk. The story Mr. Neal relates is the same that we find in Welwood's Memoirs, p. 97, 6th edition. Dr. Harris treats it as all falsehood and invention; and as, authoritatively, confuted by Thurloe's State Papers, vol. 7. p. 173; where Lockhart, in his letter to Thurloe written the day before the surrender of Dunkirk, has these expressions: "To-morrow before five of the clock at night, his highness's forces under my command will be possessed of Dunkirk. I have a great many disputes with the cardinal about several things;—nevertheless, I must say, I find him willing to hear reason; and though the generality of court and arms are even mad to see themselves part with what they call *un si bon morceau*, or so delicate a bit, yet he is still constant to his promises, and seems to be as glad in the general (notwithstanding our differences in little particulars), to give this place to his highness, as I can be to receive it. The king is also exceeding obliging and civil, and hath more true worth in him than I could have imagined." Life of Cromwell, p. 402, 403.—Ed.

‡ Compl. Hist. p. 223. Echard, p. 730.



quainted the lord-mayor and common-council of the city in speech, wherein he takes notice, that the marquis of Ormonde had been privately in London three weeks, to promote the king's affairs, who lay ready on the coast with an army of eight thousand men, and twenty-two ships; that there was a design to seize the Tower; and that several ill-affected persons were endeavouring to put themselves in arms for that purpose; he therefore desired them to put the city into a posture of defence, professing a more passionate regard for their safety than his own. The citizens returned his highness thanks, and in an address promised to defend his person and government with their lives and fortunes. The like addresses came from several of the regiments at home, and from the English army in Flanders. This was the plot the protector mentioned in his speech to the parliament, and was discovered by one Stapley, whose father had been one of the king's judges. Immediately after the dissolution of the parliament, three of the conspirators were apprehended, and tried before a high court of justice, according to the late act for the security of his highness's person. Mr. Mordaunt, youngest son and brother of the earl of Peterborough, was acquitted by one vote; but the other two, sir Henry Slingsby and Dr. Hewet, were condemned. The doctor was indicted for holding correspondence with Charles Stuart, for publishing him to be king of England, Scotland, and Ireland; and for sending him money. He behaved with great boldness towards his judges, keeping his hands upon his head while the indictment was reading; but an officer being sent to take it off, he saved him the trouble. The doctor then refused to plead three times, disowning the jurisdiction of the court; but though they read the clause in the late act, by which they were empowered to be his judges, he continued mute upon which one of the judges summed up the charge, and was going to pronounce sentence, when he offered to put himself upon his trial, but was told it was then too late, so judgment was given against him as a mute. The doctor had prepared a plea and demurrer to the jurisdiction and proceedings of the court, and exceptions to their judgment, drawn up in form by his counsel, and ready to be engrossed, but was not suffered to have them argued. However, he had the favour of being beheaded on Tower-hill, June 8, 1658, being attended by Dr. Wild, Dr. Warmestry, and Dr. Barwick\*. His funeral sermon was preached the Sunday following, by Mr. Nath. Hardy, at St. Dionis Backchurch, in Lime-street; and soon after, both the sermon and the doctor's intended defence were published, entitled "Beheaded Dr. John Hewet's Ghost crying for Justice;" containing his legal plea, demurrer, and exceptions to the jurisdiction of the court, &c., drawn up by his counsel Mr. William Prynne. The doctor was a Cambridge divine, but lived at O

\* Life of Barwick, p. 175.

ford, and in the army, till the end of the war, when he came to London, and was permitted to preach in the church of St. Gregory's, London, though he was known to be a malignant. After his conviction, the lady Claypole and lady Falconbridge, the protector's daughters, interceded with their father for his life; but because he disputed the authority of the court, which struck at the very life of his government, the protector would not pardon him. He told Dr. Manton, one of his chaplains, that if Dr. Hewet had shown himself an ingenuous person, and would have owned what he knew was his share in the design against him, he would have spared his life; but he said he would not be trifled with, and the doctor was of so obstinate a temper that he was resolved he should die; and the protector convinced Dr. Manton before they parted, that he knew, without his confession, how far he was engaged in the plot. Three more of the conspirators were executed in other parts of the city, but the rest were pardoned.

A little before the protector's death, the Independents petitioned his highness for liberty to hold a synod, in order to publish to the world a uniform confession of their faith. They were now become a considerable body, their churches being increased both in city and country\*, by the addition of great numbers of rich and substantial persons; but they were not agreed upon any standard of faith or discipline. The Presbyterians in the as-

\* The number of these churches was, proportionally, much greater in the two counties of Norfolk and Suffolk, than in most other parts of the kingdom. This was owing to the particular intercourse which those counties have with the city of Rotterdam and Holland, where the more rigid Puritans, who were driven out of England by the severities of the times, before the civil wars began, had taken refuge, and formed several congregational churches. On the return of the English exiles to England, at the commencement of those dissensions, they brought with them their sentiments on church-government, and formed churches on the Independent plan. Of these the most ancient was the church of Yarmouth, consisting of members resident in that town and at Norwich: and the Lord's supper was administered alternately at the two places. This, after a time, was found very troublesome, and by a majority of votes the seat of the church was fixed at Yarmouth. This new arrangement was attended with great inconvenience to those who lived at Norwich. They therefore, with the consent of the other part who resided at Yarmouth, formed a separate church, June 10, 1644. This consent was given with expressions of the most tender and endeared affection; as having been, many of them, "companions together in the patience of our Lord Jesus in their own and in a strange land, and having long enjoyed sweet communion together in divine ordinances." On these models other churches were settled through these counties. As at Denton in May or June of the year 1655. At Tunstead, North-Walsham, Wymondham, and Guestwick, in 1652. In the same year was laid the foundation of the congregational church of Beccles in Suffolk, by nine persons joining together in church-fellowship, and by July 29, 1653, their number was increased to forty. The church at Walpole was settled into fellowship in the year 1647. That of St. Edmund's Bury in 1648. That of Woodbridge, in 1651. That at Wattesfield, May 2, 1678. That of Wrentham was first gathered February 1, 1649, under Mr. John Philip, and one of its first members was Francis Brewster, esq. lord of the manor of Wrentham, who gave the church-plate which bears his arms; and some considerable legacies were left by him and different branches of his family. The hall was a place of refuge and concealment for the ministers or any of the people in time of persecution. Mr. Thompson's MS. Collected words Norfolk and Suffolk.—Ed.



debates upon words and phrases, but at length all acquiesced, and the whole was soon after published in quarto, under the title of "A declaration of the faith and order owned and practised in the congregational churches in England, agreed upon and consented unto by their elders and messengers in their meeting at the Savoy, October 12, 1658." Next year it was translated into Latin by professor Hornbeck, and published at the end of his *Epistola ad Duræum de Independentissimo*. Some imputed their unanimity to the authority and influence of Dr. Owen, Mr. Nye, and the rest of the elder divines, over the younger; but they themselves, in their preface, "look upon it as a great and special work of the Holy Ghost, that so numerous a company of ministers, and other principal brethren, should so readily, speedily, and jointly, give up themselves to such a whole body of truths as is there collected." They add farther, "that this agreement of theirs fell out without their having held any correspondence together, or prepared consultation, by which they might be advised of one another's minds." Which I confess is very extraordinary, considering the confession consists of thirty-three chapters, in which are almost two hundred distinct articles of faith and discipline; and that the whole time of the synod's sessions or continuance, was not above eleven or twelve days.

The Savoy confession proceeds upon the plan of the Westminster assembly, which made the work very easy; and in most places retains their very words. They tell the world in their preface, that they fully consent to the Westminster confession for the substance of it, but have taken liberty to add a few things, in order to obviate some erroneous opinions that have been more boldly maintained of late than in former times. They have likewise varied the method in some places, and have here and there expressed themselves more clearly, as they found occasion. They have omitted all those chapters in the assembly's confession which relate to discipline, as the thirtieth and thirty-first, with part of the twentieth and twenty-fourth, relating to the power of synods, councils, church-censures, marriage, and divorce, and the power of the civil magistrate in matters of religion. These (say they) were such doubtful assertions, and so unsuited to a confession of faith, that the English parliament would never ratify them, there being nothing that tends more to heighten dissensions among brethren, than to place these doubtful speculations under so high a title as a confession of faith. After the nineteenth chapter of the assembly's confession, of the law, the Savoy divines have added an entire chapter, of the gospel, in which what is dispersed up and down the assembly's confession is collected, and put together. Upon the whole, the difference between these two confessions, in points of doctrine, is so very small, that the modern Independents have in a manner laid aside the use of it in their families, and agreed with the Presbyterians in the use of the assembly's catechism.

At the end of the Savoy confession there is a chapter of discipline, entitled, "Of the institution of churches, and the order appointed in them by Jesus Christ;" in which they assert,

"That every particular society of visible professors agreeing to walk together in the faith and order of the gospel is a complete church, and has full power within itself to elect and ordain all church-officers, to exclude all offenders, and to do all other acts relating to the edification and well-being of the church.

"That the way of ordaining officers, that is, pastors, teachers, or elders, is after their election, by the suffrage of the church, to set them apart with fasting and prayer, and imposition of the hands of the eldership of the church, though if there be no imposition of hands, they are nevertheless rightly constituted ministers of Christ; but they do not allow that ordination to the work of the ministry, though it be by persons rightly ordained, does convey any office-power, without a previous election of the church.

"That no persons may administer the sacrament but such as are ordained and appointed thereunto. Nor are the pastors of one church obliged to administer the sacraments to any other than to the members of that church to whom they stand related in that capacity. Nor may any person be added to the church, as a private member, but \* by the consent of the church, after a confession of his faith, declared by himself, or otherwise manifested.

"They disallow the power of all stated synods, presbyteries, convocations, and assemblies of divines, over particular churches; but admit, that in cases of difficulty, or difference relating to doctrine or order, churches may meet together by their messengers in synods or councils, to consider and give advice, but without exercising any jurisdiction.

"And lastly, they agree, that churches, consisting of persons sound in the faith and of good conversation, ought not to refuse communion with each other, though they walk not in all things according to the same rule of church-order; and if they judge other churches to be true churches, though less pure, they may receive to occasional communion such members of those churches as are credibly testified to be godly, and to live without offence.

"These opinions (say they) may appear new to a great many

\* It was also a practice of the Independents, at the first formation of their churches, to sign an agreement, or covenant, which they entered on their church-books. This, sometimes, ran out into various articles, expressive of their devotedness to the service of God, their trust in Christ, their determination to study the Scriptures, and to form their faith and worship by them, of their mutual engagement to keep the Christian ordinances, to watch over one another in the Lord, to bear one another's burdens, and to preserve union and love, and of their resolutions to persevere in a course of faith and holiness. Of these forms of agreement, one of the most simple is that which was adopted by the church at Wottesfield in Suffolk. It was in these words: "We do covenant or agree in the presence of God, through the assistance of his Holy Spirit, to walk together in all the ordinances of the Lord Jesus, as far as the same are made clear unto us, endeavouring the advancement of the glory of our Father, the subjection of our will to the will of our Redeemer, and the mutual edification of each other in his most holy faith and fear." Mr. Thompson's MS. Collections, under the name Wottesfield.—Ep.



people, because they have not been openly and publicly professed in the English nation, but we are able to trace the footsteps of an Independent congregational way in the ancientest practice of the church, and in the writings of the soundest Protestant divines." They add, "that their principles do not in the least interfere with the authority of the civil magistrate, nor do they concern themselves upon any occasions with him, any farther than to implore his protection, for the preservation of the peace and liberty of their churches." They glory in this, that ever since they appeared in the world, they have distinguished themselves in the cause of Christian liberty. "We have always, say they, maintained this principle, that among all Christian states and churches, there ought to be a forbearance and mutual indulgence to Christians of all persuasions, that keep to and hold fast the necessary foundations of faith and holiness. This principle we have maintained for the sake of others, when we ourselves had no need of it." They conclude with thankfulness to their present governors, for permitting those who could not comply with the Presbyterian establishment to enjoy the liberty of their consciences, and equal encouragement and protection with others; and that this liberty is established by law, as long as they disturb not the public peace. This should engage us (say they) to promote the honour and prosperity of such a government, to be peaceably disposed one towards another, and to love as brethren; forasmuch as the differences between Presbyterians and Independents are differences between fellow-servants, neither of them having authority, from God or man, to impose their opinions upon one another.

Mr. Baxter, in the main a very peaceable and candid divine, loses all temper when he speaks of this assembly; he finds fault with their definition of justification, and makes these remarks: "They thought it not enough expressly to contradict St. James, and to say unlimitedly, that we are justified by the righteousness of Christ only, and not by any works, but they contradicted St. Paul also, who says, that 'faith is imputed for righteousness;' and not only so, but they asserted, that we have no other righteousness but that of Christ. A doctrine abhorred by all the reformed and Christian churches, and which (says he) would be an utter shame of the Protestant name, if what such men held and did were imputable to sober Protestants." But is it possible that Mr. Baxter could believe, that the Savoy divines denied the necessity of sanctification, or personal holiness? when they have a whole chapter in their Confession upon sanctification, another upon repentance and good works, and a third upon the moral law, which they declare does for ever bind all men to obedience, both justified and unjustified. When Mr. Baxter asked some honest men who joined them, whether they subscribed the confession? they said no; he then inquired, why they did not contradict this? To which they answered, because the meaning was, that they had no other righteousness but that of Christ to be

justified by; which is certainly the doctrine of the Westminster assembly. What does Mr. Baxter reply to this? Why nothing, but adds, very uncharitably, "that the Independent confessions are like such oaths as speak one thing and mean another; so much could two men [Dr. Owen and Goodwin] do with many honest tractable young men, who had more zeal for separating strictness than judgment to understand the word of God, the interest of the churches and of themselves\*." And yet there were in that assembly many divines of as great age and learning as himself; their design was not to undervalue the Westminster confession, but rather to answer the desires of that assembly, by publishing to the world such a declaration of their faith and discipline as they had demanded. And the confession was so far from raising any new divisions, that Mr. Philip Henry observes, upon the death of Cromwell, that there was a great change in the tempers of good people throughout the nation, and a mighty tendency to peace and unity, as if they were by consent weary of their long clashing. However, the Independents lost their best friend in the protector, who was not only their patron upon the principle of liberty, but a balance to the Presbyterian pretences to ecclesiastical power.

The hierarchy of the church of England was now at a very low ebb, and in danger of being lost beyond recovery; for if the bishops, who were now very ancient, had all died off, before others had been consecrated, the line of succession must have failed; for the church of Rome was so far from supporting it, that they published a treatise this year, *Of the Nature of the Catholic Faith, and of Heresy*; in which they endeavour to invalidate the English ordinations, and revived the story of the Nag's-head club; for the truth of which they appealed to Dr. Moreton, the ancient bishop of Dürham, who in a solemn speech made in full parliament (say they) declared in express words, that our first bishops after the Reformation had been consecrated in a tavern; and that this was so far from being doubted, that it was a fact most notorious to all the world; adding, that the rest of the bishops present rather approved than in the least opposed what he had said. The bishop, then in the ninety-fourth year of his age, being advised of this calumny, sent for a public notary from London, and in the presence of proper witnesses, made a solemn protestation of the falsehood of this story, and signed it in due form July 17, 1658. He then sent his chaplain Dr. Barwick †, to all the lords spiritual and temporal then alive, who had sat in that parliament, desiring that if they believed him undeservedly aspersed, they would attest it by subscribing their names; which was done by six bishops, and fourteen temporal lords, and by the several clerks and registrars of the house. The bishop died soon after, but his protestation, with the proofs, was after-

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\* Life, p. 104.

† Ibid. p. 40.



ward published by Dr. Bramhal, bishop of Derry, in a treatise entitled, "The Consecration and Succession of Protestant Bishops Justified; the Bishop of Duresme Vindicated; and the Fable of the Ordination of the Nag's-head Club Clearly Confuted." This awakened the clergy to enter upon measures for the continuance of a succession of bishops, though they could not be regularly chosen, lest the validity of the episcopal ministry should cease; which will come under consideration in the transactions of the next year.

Lord Clarendon mentions an address of the Anabaptists to the king, who, being disappointed in their expectations of a commonwealth, threw themselves at his majesty's feet, offering their assistance to pull down the present government. In their address they say, "they took up arms in the late war for liberty and reformation, but assure his majesty that they were so far from entertaining any thoughts of casting off their allegiance, or extirpating the royal family, that they had not the least intent to abridge him of his just prerogatives, but only the restraining those excesses of government, which were nothing but the excrescences of a wanton power, and were rather a burden than an ornament to the royal diadem." They then go on to declaim against the protector, calling him that grand impostor, that loathsome hypocrite, that detestable traitor, the prodigy of nature, the opprobrium of mankind, a landskip of iniquity, a sink of sin, a compendium of baseness. And then, begging pardon for their former offences, they promise to sacrifice their lives and fortunes for his majesty's restoration, provided his majesty would be so gracious as to restore the remains of the long-parliament; to ratify the treaty of the Isle of Wight; to establish liberty of conscience; to take away tithes, and provide some other maintenance for the national clergy; and to pass an act of oblivion, for all who had been in arms against his father and himself, except those who should adhere to that ungodly tyrant who calls himself protector. His lordship adds, that the messenger that brought these propositions, asking the sum of 2,000*l.* to carry on the project, his majesty dismissed him with civil expressions, telling him, he had no designs to trouble any man for his opinion. However, if there had been such an address from the body of the Anabaptists, it is a little strange that after the Restoration it was not remembered to their advantage. But his lordship seems to have had no great acquaintance with these men, when he says, they always pretended a just esteem and value for all men who faithfully adhered to the king; whereas they were of all sects the most zealous for a commonwealth, and were enemies to the protector for no other reason but because he was for government by a single person. In truth, this whole affair seems no more than an artifice to get a little money out of the poor king's purse\*.

\* Notwithstanding the suspicions which rest upon this affair, Crosby has seen fit to preserve the address, propositions, and letter, in the Appendix to his first volume, no. 5.—Ed.

The protector's health was now declining, through his advanced age and excessive toils and fatigues. The restless spirits of the royalists and republicans put him upon his guard, insomuch that he usually wore under his clothes a piece of armour, or a coat of mail. The loss of his beloved daughter Claypole, who died this summer, had also a very sensible influence on his health. About the middle of August he was seized with a slow fever, which turned to a tertian ague; but the distemper appeared so favourable for a while, that he walked abroad in the gardens at Hampton-court. Ludlow says, the protector had a humour in his leg, which he desired the physicians to disperse, by which means it was thrown into his blood: at length his pulse began to intermit, and he was advised to keep his bed; and his ague fits growing stronger, it was thought proper to remove him to Whitehall, where he began to be light-headed; upon which his physicians declared his life in danger, and the council being summoned to desire him to nominate his successor, he appointed his eldest son Richard. In the intervals of his fits, he behaved with great devotion and piety, but manifested no remorse for his public actions; he declared in general, that he designed the good of the nation, and to preserve it from anarchy and a new war. He once asked Dr. Goodwin, who attended at his bed-side, and is said to have expressed an unbecoming assurance \* to Almighty God in prayer of his recovery, whether a man could fall from grace? which the doctor answering in the negative, the protector replied, "Then I am safe, for I am sure I was once in a state of grace†." About twelve hours before he died he lay very quiet, when major Butler being in his chamber, says he heard him make his last prayer to this purpose: "Lord, I am a poor foolish creature; this people would fain have me live; they think it best for them, and that it will redound much to thy glory, and all the stir is about this. Others would fain have me die; Lord, pardon them, and pardon thy foolish people, forgive their sins, and do not forsake them, but love and bless, and give them rest, and bring them to a consistency, and give me rest, for Jesus Christ's sake, to whom, with thee and thy Holy Spirit, be all honour and glory, now and for ever, Amen." The protector died, September 3, 1658, about three in the afternoon, the day on which he had tri-

\* The language of Dr. Goodwin was thus extravagant: "Lord, we beg not for his recovery; for that thou hast already granted and assured us of; but for his speedy recovery." And when news was brought of his death, Mr. Peter Sterry stood up, and desired them not to be troubled. "For (said he) this is good news: because if he was of great use to the people of God when he was amongst us, now he will be much more so, being ascended to heaven to sit at the right hand of Jesus Christ, there to intercede for us, and to be mindful of us on all occasions." Ludlow's *Memoirs*, 4to. p. 258, 259. Dr. Grey does not fail to notice these strange flights. And Sewel the historian's reflection on this last instance of the flattery, or frenzy, of these courtiers, was just. "O horrid flattery! Thus I call it, though he had been the greatest saint on earth; which he came much short of, though he was once endued with some eminent virtues." *History of the Quakers*, p. 189.

—Ed.

† Baxter's *Life*, p. 98.



umphed in the battles of Marston-Moor \*, Dunbar, and Worcester, when he had lived fifty-nine years, four months, and eight days: four years and eight months after he had been declared protector by the instrument of government; and one year and three months after his confirmation by the humble petition and advice. As he had lived most part of his life in a storm, his death was attended with one of the greatest hurricanes that had been known for many years †. Some have said, that next night after his death, his body was wrapped up in lead, and buried in Naseby-field, according to his desire. Others, more probably, that it was deposited privately in a vault in king Henry VII.'s chapel, some time before the public funeral, which was performed November 23, with all imaginable grandeur and military pomp ‡, from Somerset-house, where he had lain in state, to the Abbey-church in Westminster, where a fine mausoleum was erected for him, on which his effigy was placed, and exhibited to the view of all spectators for a time; but after the king's restoration, his coffin was taken out of the vault, and drawn upon a sledge to Tyburn, where he was hanged up till sunset, and then buried under the gallows.

Thus died the mighty Oliver Cromwell, the greatest soldier and statesman of his age, after he had undergone excessive fatigues and labours in a long course of warlike actions, and escaped innumerable dangers from the plots and conspiracies of domestic enemies. Few historians have spoken of him with temper, though no other genius, it may be, could have held the reins, or steered the commonwealth, through so many storms and hurricanes, as the factions of these times had raised in the nation. He was born at Huntingdon, April 25, 1599, and descended of the family of Williams, of Glamorgan in Wales, which assumed the name of Cromwell by marrying with a daughter of Cromwell earl of Essex, in the reign of king Henry VIII. The seat of the eldest branch of the family

\* This, as Dr. Grey notices, is an error; the battle of Marston-Moor was fought on the 2nd July, 1644.—Ed.

† Dr. Grey tells us also, that on the day his coffin was taken up and hung at Tyburn, almost as remarkable a storm rose in the northern parts of the kingdom. Superstition and a hatred of Cromwell construed these circumstances as appearances of nature or the God of nature, by physical phenomena, expressing an abhorrence of his character. But sound philosophy sees nothing but a singular coincidence of events, happening together, but without any correspondence in their causes: and will reflect, how many storms disturb the elements, when no wicked tyrant dies in the political world!—Ed.

‡ The expenses of Cromwell's funeral amounted to 60,000l. The body was laid in a more private apartment, till the 1st of November; in imitation of the solemnities used upon the like occasion for Philip II. king of Spain, who was thus represented to be in purgatory for two months. It was then removed into the great hall of Somerset-house; the part where the bed stood was railed in, and the rails and ground within covered with crimson velvet. Four or five hundred candles set in flat shining candlesticks were so placed round near the roof of the hall, that the light they gave seemed like the rays of the sun: by all which he was represented to be in a state of glory. This folly and profusion so far provoked the people, that they threw dirt, in the night, on his escutcheon, placed over the great gate. Ludlow's Memoirs, 4to. p. 260.—Ed.

was called Hinchinbrook, now belonging to the earl of Sandwich, who were reputed to possess an estate of 30,000*l.* a year. - Oliver, who was descended of a younger branch, was educated in Cambridge, and from thence became a student of Lincoln's-Inn, being a wild and extravagant youth till about the thirty-fifth year of his age, when he quitted his irregular life, and became remarkably sober. In the year 1640, he was chosen representative in parliament for the town of Cambridge, and sat two years undistinguished in the house, as a mere country gentleman, appearing, says sir Philip Warwick, in a plain cloth suit of clothes made by a country tailor, his linen not very clean, his band unfashionable, his hat without a hatband, and his sword close by his side; his countenance was swollen and reddish, his voice hoarse and untunable, but his elocution was full of fervour and warmth, and he was well heard in the house. His person somewhat exceeded the middle stature\*, but was well proportioned, compact, and strong. He had a masculine countenance, a sparkling eye, a manly stern look, a vigorous constitution, and was an enemy to ease and excess; the motto upon his coat of arms was, *Pax queritur bello*.

Upon the breaking out of the civil war he took arms for the parliament, and though he was forty-three years of age before he drew a sword, he soon became colonel of a regiment of chosen men, who declared they fought not for gain, but for the cause of religion and liberty. He always went to prayer before battle, and returned solemn thanks for his success afterward. He was careful to promote an exact discipline in the army, and would not have pardoned his own brother, says my author†, if he had found him plundering the country people. The army had not an officer who faced danger with greater intrepidity, or more eagerly sought occasions to distinguish his personal valour. He had a great presence of mind in the heat of action, and taught his soldiers to fight in a more desperate manner than usual, not allowing them to discharge their muskets till they were so near the enemy as to be sure of doing execution. His reputation rose so fast, that he quickly became a major-general, then lieutenant-general, under Fairfax, and at last supplanted him. His troops believed them-

\* Sir John Reresby calls Cromwell "one of the greatest and bravest men, had his cause been good, the world ever saw. His figure did not come up to his character; he was indeed a likely person, but not handsome, nor had he a very bold look with him. He was plain in his apparel, and rather negligent than not. Tears he had at will, and was, doubtless, the greatest dissembler on earth." *Memoirs*, p. 2. Since Mr. Neal wrote, various historians have reviewed the actions and character of Cromwell. Amongst whom the faithful and judicious Dr. Harris deserves particular mention. The candid and copious account of this extraordinary man in the first edition of the *Biographia Britannica*, has been enriched with new and curious matter by the learned and accurate pen which has conducted the second edition. The history of the Cromwell family has been accurately investigated by Mr. Noble, in his *Memoirs of the Protectoral House of Cromwell*; not to mention other writers, who have elucidated this subject. To other particulars, with which Dr. Kippis has improved the article Cromwell, in the *Biogr. Britan.* is added an ample exhibition of the characters of him, drawn by foreigners and natives.—*Ed.*

† Carrington's *Life of Cromwell*, p. 243. Welwood's *Mem.* p. 104.



Self invincible under his conduct; he never lost a battle where he had the chief command. The victory of Marston-Moor was chiefly ascribed to his valour. The reduction of Ireland in less than a year made him the terror of his enemies; and the battles of Dunbar and Worcester completed his martial glory.

How far his usurping the protectorship of the three nations, without the previous consent of a free parliament, was the result of ambition or necessity, has been considered already; but if we view him as a statesman, he was an able politician, a steady resolute governor; and though he had more numerous and powerful enemies than any man of the age, he was never intimidated, having a peculiar art of keeping men quiet, and giving them by turns hopes of his favour. He had a wonderful knowledge of mankind, and an inimitable sagacity and penetration. If there was a man in England who excelled in any faculty or science, he would find him out, and reward him according to his merit. In nothing was his good understanding better discovered, says bishop Burnet, than in seeking out able and worthy men for all employments, which gave a general satisfaction. By these methods, in the space of four or five years, he carried the reputation and glory of the English nation as high as it was capable of being raised. He was equally dreaded by France, Spain, and the United Provinces, who condescended to servile compliances to obtain his friendship; Charles Gustavus, king of Sweden, thought himself honoured by his alliance; and cardinal Mazarine said, that nothing but the king of France's having the small-pox could have hindered him from coming over to England, that he might have the honour of waiting on one of the greatest men.

The protector had an uncommon command of his passions, and knew how to behave in character upon all occasions, though in private life he would be jocose and merry with his inferiors; yet no prince was more jealous of his dignity on public occasions. His ambassadors in foreign courts had all the respects paid them that our kings ever had. All Europe trembled at his name! And though he could converse with no foreigners but in broken Latin, yet no man ever had better intelligence, nor understood the views and interests of the several courts of Europe better than himself. He had spies at Madrid and Paris, and was so happy as to fix upon persons who never failed him. Mr. Algernon Sydney, who was not inclined to think or speak well of kings, commended him to bishop Burnet, as one who had just notions of public liberty; and though he made some severe and cruel laws against the episcopal clergy, it was not for their religion, but because they were open and declared enemies to his person and government.

The protector was a Protestant, but affected to go under no denomination or party: he had chaplains of all persuasions; and though he was by principle an Independent, he esteemed all reformed churches as part of the catholic church; and without

Upon this maxim he is said to have suffered the late king to be put to death, in an arbitrary and illegal manner.—Another maxim was, that “in extraordinary cases something extraordinary, or beyond the common rules of justice, may be done; that the moral laws, which are binding in ordinary cases, may then be dispensed with; and that private justice must give way to public necessity.” Which was the protector’s governing principle in all his unwarrantable stretches of power. A third principle by which the protector was misled, was, his determining the goodness of a cause by its success. An appeal to the sword was with him an appeal to God; and as victory inclined, God owned or discountenanced the cause.—It is impossible that a man’s conduct could be just or consistent, while it was directed by such mistaken principles.

It has been farther objected to the protector’s character, that he was notoriously guilty of hypocrisy and dissimulation both to God and man! that he mocked God by the pretence of piety and devotion, and by long prayers full of hypocritical zeal. But who can penetrate the heart, to see whether the outward actions flow from an inward principle? With regard to men, it is certain the protector knew how to address their passions, and talk to them in their own way; and if in his devotions he uttered with his mouth what his heart never meant, no one can vindicate him: but men are not slightly to be arraigned, says Rapin, for the inward motions of their heart, which pass all human knowledge. Besides, it is not easy to conceive the watchful eyes that were upon him, and the vast difficulties he had to contend with. Queen Elizabeth’s dissimulation has been extolled, for the very same reason that the protector’s is condemned: if therefore such a conduct was necessary to govern the several parties, there is nothing greatly blameworthy in it, says the same author, unless it was a crime in him not to put it into the power of his enemies to destroy him with the greater ease.

Ambition and thirst of glory might sometimes lead the protector aside, for he imagined himself to be a second Phineas, raised up by Providence to be the scourge of idolatry and superstition; and in climbing up to the pinnacle of supreme power, he did not always keep within the bounds of law and equity: to this passion some have ascribed his assuming the protectorship, and putting himself at the head of three kingdoms; though others are of opinion, it was owing to hard necessity and self-preservation. I will not venture to decide in this case; possibly there might be a mixture of both. When he was in possession of the sovereign power, no man ever used it to greater public advantage, for he had a due veneration for the laws of his country, in all things wherein the life of his jurisdiction was not concerned: and though he kept a standing army, they were under an exact discipline, and very little burden to the people.

The charge of cruelty, which is brought against him, for having put some men to death for conspiring against his person and



government, deserves no confutation, unless they would have had him sit still, till some conspiracy or other had succeeded. Cruelty was not in his nature\*; he was not for unnecessary effusion of blood. Lord Clarendon assures us, that when a general massacre of the royalists was proposed by the officers in council, he warmly opposed and prevented it.

Dr. Welwood† compares the protector to an unusual meteor, which with its surprising influences overawed not only three kingdoms, but the most powerful princes and states about us. A great man he was, says he, and posterity might have paid a just homage to his memory, if he had not imbrued his hands in the blood of his prince, and trampled upon the liberties of his country.

Upon the whole, it is not to be wondered, that the character of this great man has been transmitted down to posterity with some disadvantage, by the several factions of Royalists, Presbyterians, and Republicans, because each were disappointed, and enraged to see the supreme power wrested from them: but his management is a convincing proof of his great abilities: he was at the helm in the most stormy and tempestuous season that England ever saw; but by his consummate wisdom and valour, he disconcerted the measures and designs of his enemies, and preserved both himself and the commonwealth from shipwreck. I shall only observe farther, with Rapin, that the confusions which prevailed in England after the death of Cromwell, clearly evidence the necessity of this usurpation, at least till the constitution could be restored. After his death his great achievements were celebrated in verse, by the greatest wits of the age, as Dr. Sprat, afterward bishop of Rochester, Waller, Dryden, and others, who in their panegyrics outdid every thing which till that time had been written in the English language.

Four divines of the assembly died this year; Dr. John Harris, son of Richard Harris of Buckinghamshire, born in the parsonage-house of Hardwick in the same county, educated in Wickham-school near Winchester, and in the year 1606 admitted perpetual fellow of New-college. He was so admirable a Grecian, and eloquent a preacher, that sir Henry Saville called him a second St. Chrysostom. In 1619 he was chosen Greek professor of the university. He was afterward prebendary of Winchester, rector of Meonstoke in Hampshire, and in the year 1630, warden of Wickham-college near Winchester; in all which places he behaved

\* Such was the sensibility of his spirit, that if an account were given him of a distressed case, the narration would draw tears from his eyes. It speaks strongly in favour of his temper and his domestic deportment, that the daughter of sir Francis Russel, married to his second son Henry, who before her marriage had entertained an ill opinion of his father Oliver, upon her coming into the family felt all her prejudice removed, and changed into a most affectionate esteem for her father-in-law, as the most amiable of parents. Gibbons's Funeral Sermon for William Cromwell, esq. p. 46.—Ed.

† P. 102.

with great reputation. In the beginning of the civil wars he took part with the parliament, was chosen one of the assembly of divines, took the covenant, and other oaths, and kept his wardenship till his death; he published several learned works, and died at Winchester, August 11, 1658, aged seventy years.

Mr. Sydrach Sympson, a meek and quiet divine of the Independent persuasion, was educated in Cambridge, but forced to fly his country for nonconformity in the times of archbishop Laud. He was one of the dissenting brethren in the assembly, and behaved with great temper and moderation. Bishop Kennet says, he was silenced for some time from preaching, because he differed in judgment from the assembly in points of church-discipline, but was restored to his liberty October 28, 1646. He afterward gathered a congregation in London, after the manner of the Independents, which met in Abchurch near Cannon-street. Upon the resignation of Mr. Vines in the year 1650, for refusing the engagement, he was by the visitors made master of Pembroke-hall, Cambridge. He was a divine of considerable learning, and of great piety and devotion. In his last sickness he was under some darkness, and melancholy apprehensions; upon which account some of his friends and brethren assembled in his own house to assist him with their prayers; and in the evening, when they took their leave, he thanked them, and said, he was now satisfied in his soul; and lifting up his hands towards heaven said, "He is come, he is come." And that night died.

Dr. Robert Harris was born at Broad-Camden in Gloucestershire, 1578, and educated in Magdalen-college, Oxon. He preached for some time about Oxford, and settled afterward at Hanwell, in the place of famous Mr. Dodd, then suspended for nonconformity; here he continued till the breaking out of the civil wars, when by the king's soldiers he was driven to London. He was appointed one of the assembly of divines, and minister of St. Botolph, Bishopsgate. In the year 1646, he was one of the six preachers to the university of Oxford, and next year one of their visitors, when he was created D. D. and made president of Trinity-college, and rector of Garlington near Oxford, which is always annexed to it. Here he continued till his death, governing his college with a paternal affection, being revered by the students as a father. The inscription over his grave gives him a great character; but the royalists charge him, and I believe justly, with being a notorious pluralist\*. He died December 11, 1658, in the eightieth year of his age†.

Mr. William Carter was educated in Cambridge, and afterward a very popular preacher in London. He was a good scholar, of great seriousness, and though a young man, appointed one of

\* Against this charge, if the truth of it should be admitted, ought to be set his charity; which, we are told, exceeded the ordinary proportion of his revenues.—Ed.

† Clarke's Lives, in his Martyrology, p. 314—339.















